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TO



W. Buchanan

THE REAL
STATE OF THINGS
IN CANADA;
EXPLAINED IN
A FEW ROUGH SKETCHES
ON
FINANCIAL AND OTHER VITAL MATTERS
IN BOTH THE CANADAS.

BY ISAAC BUCHANAN,
WHOSE PRIMARY OBJECT WAS SIMPLY TO THROW LIGHT ON THE
QUESTION OF SPECIE SUSPENSION.

TO WHICH ARE PREFIXED TWO ARTICLES FORMERLY WRITTEN BY HIM ON THE
Clergy Reserves.

'Tis pleasant, sure, to see one's self in print :—
A Book 's a Book, although there's nothing in't.

TORONTO:
PRINTED FOR THE AUTHOR.

1837.

For Arielson & Co
Liebe

With Mr. Buchanan's
Compliments to

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DEDICATION.

*To His Excellency Sir F. B. HEAD, Lieutenant Governor of the
Province of Upper Canada, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY:

I dedicate these rough sketches without permission to you, the Representative of His Majesty in this Province; because I can find no person of less exalted rank whose views and mine are so much at antipodes on the subject which elicited them, as are those of your Excellency, if I may judge from your correspondence with the Banks and your Speech from the Throne delivered on the 20th ult.

But the short exciting session of the Parliament has passed away, carrying with it, as far as I am concerned, all acrimonious feelings; and I am now happy and willing to allow that I could not dedicate it to any of His Majesty's subjects in the Province, whom the public even yet believes will more honestly follow his own convictions of what is for the true interests of the country. And I do not think I could point out any one who can receive a broad side of public opinion with more firmness, or whom the remembrance that even if we are the opposers of the acts or views of the administrator, we are supporters of the principles of the Government, will lead to take a more enlarged view of our motives than your Excellency will, or any one who will be more sorry on reflection at having insinuated for a moment that the mercantile community are not as keenly alive as monarchy can be to a sense of honour in their transactions, or any one who would be more sorry to think that, feeling it, the merchants of both Provinces should not be prepared to resent any reflection on their characters. I dedicate this to you also, because I would still fain nail my colours to your Excellency's mast, around which the people have got such a habit of cheering, and to which, on the day of prorogation (yesterday,) the unexpected dampness of the afternoon *alone* gave a damper; but new cheers were not required, for the echoes of the Province still ring with the huzzas of the triumphant General Elections. The Merchants of Quebec too had, within the short space of a year, mercantile honour enough to give a great public dinner in honour of Sir F. B. Head and monarchical Upper Canada: nay, to *crown* all, I myself, *in propria persona* the halo of your Excellency encircling my unworthy brows, had the honour of responding to the toast of the day at that great dinner, where your

Alas for my powers of prophecy ! Alas for the manner we Scotchmen at the last general Elections have been duped and humbugged ! for had I foreseen the disgraceful scenes enacted in the Upper Canada Commons House of Assembly last winter by His Majesty's Solicitor General, who, though he said he spoke *advisedly*, not only *forgot himself* but forgot the Kiug whom he *pretends* to serve ; and totally forgetting the circumstance that he is now a Law and not a Custom House Officer, made a grasp at rights of the people which they will only lose with their lives ; then I might have with propriety quoted the following very expressive and no less feeling lines of the same poet, the same darling child of nature :

**Paint Scotland greetin' owre her Thrissle,
Her mutchkin stoup as toom 's a whistle,
The once Exciseman, in a bustle,
Seizin' her Stell,—
Triumphant crushin't, like a mussel
Or lampit shell.**

Is there, that bears the name o' Scot,
But feels his heart's bluid risin' hot,
To see his pair Auld Mither's *Pot*
Thus dang in staves,
And plundered o' her hindmost groat
By gallows knaves?

Arouse, my Boys ! exert your mettle
To get Auld Scotland back her *Kettle*,
Or faith ! I'll wad my new pleugh-pettle,
Ye'll see't or lang,
She'll teach you, wi' a reekin' whittle,
Anither sang.

Had Mr. Hagerman, when it was suggested to him, availed himself of what every gentleman considers so great a privilege, the making all the atonement he can to feelings which he has injured, not to say *butchered*, and had he, on the floor of the house in which the insult and abuse were offered, made an ample apology for his conduct he would have been spared these remarks, and your Excellency would have been less culpable in promoting him to the high station of Attorney General of Upper Canada.

I may require to explain it to your Excellency, but I am too well known in these Provinces to require to explain to the Public that my heart beats as true to the British Government as any man's in England, and that any reference of a hostile nature that I make is made only against your administration, or any other administration which will stoop to pamper the enemies of our dearest liberties. And I may ease your Excellency's mind, but I will distress that of our beloved Sovereign by stating my opinion fearlessly and openly to the world that, than the Attorney General, whom your Excellency has appointed in Upper Canada, there is no man more dangerous, in either Province, to the liberties of the people generally. He is the mouth-piece of the bile of a party containing two men so gifted and admirably suited for the difficult circumstances of a state of things like ours that, but for their being violent partizans, they would be as much loved and respected by the public for the usefulness of their characters, as they are even now admired for their attainments, literary and professional. That party is powerful, at least, in the elements of its ultimate success, for these are the two most prominent characteristics of a new country, when it is not democratic, viz., the private *interests* of a selfish Oligarchy, and the *necessities* of a population in the untried and helpless circumstances of a new country. Let your Excellency remember, for a moment, that his Majesty has sent you here as the Guardian of the *whole of the Emigrants* who are, at best, but children of necessity.

Necessitas æqua lege
Compellit insignes et imos.

Englishmen, Irishmen, and Scotchmen, in emigrating, leave the home of their feelings to seek a home for their families. And many a sad enough heart has beat high with the anticipation that in this delightful Province they were about to realise more than their day dream, and find in it even a home for their affections.

But all these fond hopes are extinguished, never to be rekindled till the apple-cart of such men as your Excellency's Attorney General is upset forever.

When I at Quebec told the Merchants, met to do you honour, that you were "a fearless conservative and a real reformer" could I have

*to show a be. as in lege necessitas
Necessitas æqua lege
Compellit insignes et imos
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anticipated that your Excellency proposed, or would ever consent to any means or measures tending to rear up a strong Government *Episcopal* party to revolutionize the Province, by giving a small, if not *insignificant minority more interest in supporting the Government than the great mass of the people?*

Then again at the present crisis, though it was the privilege of your office not to require to, and the express desire and interest of the British Government that you should *not, interfere in the internal regulations of this corner of the Empire which affect in no way our foreign relations*, Your Excellency has acted most unwisely; let matters turn out as they may.

But yet so that it turns out that the country's alarm on the former vital point is premature, and if your Excellency will attach yourself to the interests of the country generally instead of only those of that family party, your justly reprobating which at the commencement of your career gained your popularity, and *your popularity with which now bodes evil to the country to the extent which that country can be imposed upon*;—and if your Excellency turns out to be a different man from your predecessor, Sir John Colborne, who, instead of being cheered, should have been hooted out of the Province, and of this I for one will never change my opinion until it has been satisfactorily cleared up to me how he reconciled it to his honour to receive cheers that found an echo in every newspaper in England, from those who, if he had had the moral bravery to let be known the last act of his administration, would have hailed him as the cut-throat of religious liberty, the whipper-in of the Bishop of Exeter, his Aidcamp's brother, Captain Philpotts;—and if your views on the latter, or the financial matters of the Province prove correct, so much the better for the Merchants; for you cannot ruin them if you do not ruin the whole country, and they will be, I can assure you, but too happy to acknowledge their being in error, by giving a still firmer support than ever to your administration; and, I am sure, there are very few who would wish to see removed any councillor or officer now about your Excellency, if by their future conduct they will only not insult the Public, and only try to make it apparent that if they *cannot do all* the people expect of them, they, at least, *do all they can* for the general good of the country.

Unless there was the finest conservative feeling among the enlightened intelligence of Upper Canada, how can any one account for its support to former administrations, whose character was of a very *negative* kind all will allow.

Will any one dare to say that this support was given because people thought the principles of the Government have been well administered by the Government party in power? Your Excellency may trust my word that it was for no such reason that the independent intelligence of the

country gave the support they did to your predecessors. It was not because they thought the Government had been well conducted, but because they thought it would not be so well conducted by the opposition. It was because intelligence being always reasonable saw clearly that, (as I express myself elsewhere,) a *young* country must long endure the practical *scourge* of not having proper elements for a perfect system of Government, and was firmly of opinion, that such a system as ours will be more *safely* worked by negative management than by that management which *supposes itself* operatively intelligent because its own ignorance has never been suggested to it by its own practical experience, or from its paying sufficient deference to others who have been great or good, and to whose practical experience the world has been indebted for a check to that liberality of opinion whose origin being in ignorance would *ruin*, instead of retard a country.

The merchants, in fact, preferred having the country retarded to having it ruined!

I now waive my lilly hand to your Excellency and to the public, I hope, for the last time,—for I am tired of public broils, and quite determined to avoid all public discussions and business *if I can* in future farther than is necessary to sustain the position I have taken on the money matters of the Province and the Clergy Reserves, as long, and not for a moment longer than, I believe, these can be guarded by truth and justice.

I can assure you, as a merchant, it is a very poor speculation for one to dabble in the *affairs of the nation*, and to get my mind clear of such subjects as I have for a fortnight been engaged in, you may believe me that I am calling to my recollection, morning, noon, and night, the case of the merchant, in England, who wrote the cleverest pamphlet that ever was written on the subject to prove how to *pay off the national debt*, and before the year was out he could not pay off his own! but which unfortunate result, by the way in these extraordinary times when your Excellency's Executive has its hand in the pocket of every merchant in both Provinces, may come about even more naturally from our not *bothering ourselves with public matters*, than from an undue attention to considerations which so closely affect our dearest interests.

I have the honour to be, Sir,

Your most obedient humble servant,

ISAAC BUCHANAN.

Toronto, Upper Canada, 12th July, 1837.



TO THE HONORABLE THE COMMITTEE OF THE UPPER HOUSE
ON THE PRESENT COMMERCIAL DIFFICULTIES OF THE
PROVINCE.

R E M A R K S

*On the Proposed Stoppage of the Banks with empty Vaults, as
anticipated in His Excellency's Bank Circular.*

BY ISAAC BUCHANAN.

ANY *very great* run on our Chartered Banks in a country like Upper Canada, especially when the constitution (*which is explained below*) of these Institutions are taken into account, must be seen to arise only—

1st. From the United States.

2nd. From political motives.

3rd. From the enemies of the Bank system.

Let the Legislature then determine what consideration is due to each of these classes of *disturbers of the country's trade and tranquillity*.

With regard to any run from the United States, I would only remark, that our laws are defective if they permit the exportation of specie to a country out of whose stock of the precious metals we must again replenish our vaults at a great sacrifice.

With regard to the run which may arise from the enemies of the Government, or of the system of Banking *established by law*, surely no sympathy can exist between *them* and *the Legislature*.

The one set of men are cowards, because instead of declaring themselves openly as the enemies of monarchy, they insidiously undermine its foundations in the prosperity of the country.

Of the other set of men I will only remark, that they had far better appear before the Legislature as *the enemies of the system of Chartered Banks* than among *the enemies of the Province* at the Bank counters.

If then the stoppage of our Banks for actual want of specie would form the era long and fondly anticipated by Revolutionists, can any others view it without horror? But does this horror arise because the number or influence of the enemies of our Government or Banking system have increased? No, no,—Danger to the Government or the Banks in Upper Canada *can arise only* from the ignorance or interestedness of *their own* management.

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The stoppage of the *Chartered Banks with empty vaults* would give a blow to the character and credit of the country, from which this Province, strong as it is in undeveloped energies, never would recover; for common fairness would in all time to come allow the deduction that a Government which has once allowed the country's every interest to be upset *may do so again*; may again decline its interference, as if it were a disinterested party, when all the great legitimate interests of the Colony are at stake; may again sacrifice them all to abstract theories of government, forgetting *that all government is but a compromise for the good of the country*.

Such a stoppage would be a virtual termination to Banking in this Province, and the people are already stared in the face by the fact that we can only go from a Banking system to the pure Barter system, formerly enjoyed in Upper Canada, through the fiery ordeal of a general Bankruptcy. We could *not even avail ourselves of the limited means of the country* to pay our foreign debts, for these have been locked up in the Banking system which has run down, and *out of which system half these means could never, in such circumstances, be recovered*. Is not Banking but a system of confidence? Where therefore no confidence exists there can be no Banking, nor do I think there can be any truly enlightened Government.

The supporters of abstract principles of Government, after having by their measures laid prostrate the enlightened intelligence of the country, and after making the mercantile community their enemies, may commence to the remainder of the Province, to an ignorant community, infested with political intriguers, such an argument as the following, even their own words militating against their conduct towards the public.

"The Banks have, in their stoppage of specie payments, failed in no object for which they were instituted. They have failed in no payment which our principles of Banking anticipated they should make. The country never would have demanded a Banking system if it had owned specie enough to fill the Banks' vaults—enough to meet or represent their entire issues. The country said it would have confidence in itself, and therefore Banking, or more properly *a system of confidence* was given to it. The very object in chartering Banks was to enlarge the Trade of the country beyond what its real capital could have carried on, and the law in establishing Banks did all it could to give our Banking system as solid a foundation as could be given to any system *partly based on confidence in the country's resources*. The Legislature of Upper Canada founded our Colonial Banking on all the realized means in the Province formed into a certain amount of paid-in Bank capital. It gave the public all the security it could for the safety of these first fruits of the Province's industry, by fencing round the chartered Institutions

with wholesome restrictions, and besides all this, the principles of our Banking honorably administered by the issues of the Banks in notes or exchange, being only made on the security of property or labor easily converted, expected to find, in the *interest* and intelligence of the country, a still more solid ground-work—a source of never-failing confidence or Banking, for these principles anticipated that the holders of the circulation of the Banks should be the debtors of the Banks—the individuals generally accommodated by the system, or whose produce, property, or labour was by it enhanced in value, and who, therefore, in *running the Banks would indeed be running themselves.*” ”

But if public confidence in any Banking system could be restored by such arguments, after the present Banks had *undeniably stopped payment*—when it could be held up to the friends of Banking that *what has been may be again*—when the distant creditor of the Banks could say with justice and indignation,—Did not a share of the hard money in your vaults belong to me? Have I thus been rewarded for my unfailing confidence in the government doctrine that Banks were for the *equal benefit* of all? I have not to complain that I did not get specie, but that others have been preferred and have been allowed to draw unusually large parcels to my detriment—I say, if, in such circumstances, such arguments could even suit the purpose of restoring the public's confidence in Banks which had been driven *from want of the protection of the Government* to deceive the majority of the people and to ruin a far greater proportion of the community, they never could avail fully to restore confidence in our Executive Government, or to restore in England the Bankrupt character of the present race of Merchants.

If such arguments could *by possibility* prove remedial, *then* when the country's every legitimate interest is in a state of dissolution, when the money market—the true pulse, the very spirit of all countries under British Monarchy—has ceased its functions, and when the frame-work of our commercial society has become motionless, except for the convulsive throbbings which show how keenly its members had clung to an honorable, to more than a negative existence, how much greater chance would such reasoning have to keep alive public confidence in our Banking Institutions, and reconcile the people to the advantage to them and the justice to the foreign creditors of the Merchants of a temporary stoppage by the Banks of specie payments to the whole community, while our vaults are yet full, or can be filled to a reasonable extent, while the public mind is comparatively calm, being greatly affected as yet by no evil having its origin among ourselves, by no embarrassment which may not yet be made short-lived by the removal of our colonial interests beyond the direct influence of American Legislation.

On the contrary, however, if the operation of external causes is allowed to *deprive us of our Banking system*, the foreign credit of the country will be lost forever, for who can be expected to have confidence in people who *have not confidence in themselves?* and *the principles both of our Government and of our Banking system will require to be proved good by the Executive of the Province, and the Bank directions being proved to have been very bad.*

It has been suggested to me that some practical remarks are necessary to enable persons who neither know the principles nor the objects of Banking to understand my assertion "*that the money market or the independent intelligence of a country with free institutions is and must ever be the pulse, the very indication of the spirit which animates a monarchy such as ours,*" and "*that a death-blow to our money-market in this Province is a death-blow to our British principles of Government.*"

I beg therefore first to have it understood what I mean by the *money market of Upper Canada*. I mean *her Banking System*, for this is not a country with realised means, but with merely internal resources; and Banking being "*the confidence of a country in its own resources systematised,*" Banking is therefore all the money-market which a country poor in realised means can have *as an expression of its confidence in its Government, being a suitable one for such a country*, viz. one which besides being the rallying point of *Rational liberty* will at once preserve unsullied its commercial integrity, to induce commerce to come into the Province, which will protect property, advance enlightenment, and develop its internal resources in the degree approved of by the independent intelligence of Upper Canada.

But let me proceed to the proof of my general assertion, that *if this country is truly governed by the principles of British monarchy, the money market must be supported*. Shall I best substantiate my position by appealing to the long and honourable experience of monarchical England, where independent intelligence is the direct result of the greatest practical freedom *men can enjoy?* Is not the money market in England the pulse of that great country?—great in a more extended sense than mere dominion,—great, because free; not because theoretically free,—for till the Reform Bill passed it could not be said to be theoretically under free institutions, but because really and *practically* free,—because though abuse might be found in the details, none could be found in the *practical principles, of the British Government*: for so peculiarly free is the political air of England and her dependancies, that they form the only spot in the world where men can safely express their honest opinions, without reserve and openly, as to the degree of confidence their own Government,

as well as all other Governments, are entitled to, and the public expression of which is, "*the money market.*"

But while I write, the Province, from one extremity to the other, and every individual who knows and sympathises with its great interests, are made breathless, merely by *the anticipation of the empty vaults from so high a quarter.* How much more would they be affected then by so horrid a reality?

The country has got, in the public document which has given rise to this article, but too good reason for the wide-spread alarm; for fools alone can help not seeing the result of the Executive being unwilling to *authorise* the temporary suspension of the payment of specie—of specie which we have not, and cannot get to pay, and *which is not required to pay the just debts of the Province:* for the Legislature of Upper Canada has long ago, by the very act of chartering Banking institutions, declared to an *enlightened world*, honourably and openly, that Upper Canada had no specie with which to pay for goods which other countries might sell to her merchants, but that she must pay them in her productive resources, but which produce she would turn into remittances as fast as she could, through means of a Banking system. But let me remark to your Honourable Committee, that all this *misconception* on the part of the Executive of Upper Canada and *the rest of the world*, might have been easily guarded against by the Legislature of Upper Canada having worded their Bills more fully, by not having left to be understood the most important fact that no part of Canada raises *so southerly a production as silver or gold.*

The result of, and the only remedy for such ignorance would be that *every person* would find it his duty and his *interest* to run the Banks, and which is just *running the Government*, as I have explained.

But can the Executive of the Province be really so much *left to themselves?* Can they force Upper Canada to depart from her Banking System—the only expression a colony poor in realized means can give of her confidence in herself and in her government?

In such event we would at once retrograde from the character, and must as a consequence soon go from the name, of Englishmen; for no country is under British principles of government, properly administered, in which intelligence has not triumphed over popular irresponsibility on the one hand and tyranny and oligarchical degradation on the other.

But probably I may more effectually convince you of this by showing that the Government and money market cannot be regarded as at one in their interests *under any other form of government.*

I ask you, can property or intelligence raise their voice so as to be heard amid the perpetual troubles of a pure Democracy, such as exists in the United States? and have I not reason when I argue that

if the money market can cease to exist here, Upper Canada must be a practical Oligarchy ; and when I say that property and intelligence having been deprived of the legitimate influence promised them by the British Government, if they would emigrate to Canada, will be driven to upset an Administration which has broken faith with them. The Executive of the former description of Government is but the expression of the interests of a majority ; and will any one tell me that in any country on earth the majority of the people are monied men, or enlightened men ? The Executive of the latter description is far worse, for far from its being the representative *only* of a majority of the country's interests, its views represent *neither the monied nor any other great legitimate interest in the Province*.

If I have made it clear that the British Government differs from both these systems of government, and much more from an Oligarchy than a Democracy, I have made it also clear that our Colonial Banking system being upset will either have been occasioned by, or must be the cause of, *fearful political changes in the principles of our Executive Government*.

I now beg to apologise to your Honorable Committee for the inconvenience which will be the consequence to you of so long an exposition of my views ; but I hope I have at least proved *the paramount importance of the subject of our Colonial money matters*—even if I have so far darkened my counsel in the multitude of my words.

The result, however, would have been still worse had I, an humble individual, pretending to no habits of thought or expression on *public matters*, in trying to throw light into the public mind, cut my candle so short as to extinguish it, or obscure the light of truth altogether, as most people do on such subjects in such circumstances.

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A N S W E R S

To the Questions put by the Honourable the Committee of the House of Assembly, on the Monetary System of the Province,

BY ISAAC BUCHANAN.

TORONTO, U. C., June 21, 1837.

QUESTION No. I.

To what circumstance do you attribute the present embarrassments of the commercial body of Upper Canada, or what can you assign for them?

ANSWER.

To the circumstance of the Americans having early last month virtually departed from a metallic currency, which had the effect of placing specie at a premium not only over the paper currency of the United States, but also as compared with Upper Canada Bank notes, for which specie at a much lower standard can still be had: thus making the exportation of specie from Upper Canada a profitable traffic, and making it the duty and interest of our Banks to decline issuing more of their notes, and to call in those in circulation,—thus distressing the Province and depriving its commerce of the foundation on which the Legislature had wisely based it, viz., a Banking system.

Ques. No. 2. If the example of the Banks of the United States in suspending specie payments should be followed by the Banks of Upper Canada, what, in your opinion, would be the immediate results? And to extend the question—What would be the ultimate effect on the commercial prosperity of the Province?

Ans. The immediate and ultimate results of a suspension by the Banks of Upper Canada of specie would be most beneficial to its commerce. The exportation of specie at a low standard to a country out of whose stock of the precious metals the Banks must

replenish their vaults at a much higher standard value, will be prevented by this measure giving specie *temporarily* a marketable instead a fixed legal value: thus removing all unnecessary and unsalutary interruptions to our usual course of trade, without *permanently* affecting the currency or in any way affecting the interest of the public creditor; viz., the holders of debentures, obligations, or claims against the Province, which, with all interest due or to become due on them, would fall to be paid in specie at its legal standard as formerly before Government kept an account with the Bank.

Ques. No. 3. Do you consider that the suspension of payment in specie, under the circumstances, compromises the character and credit of the Province, or will it injure, to any serious extent, the character and standing of the Banks or the Province?

Ans. My decided opinion is, that such a measure will have the most directly opposite effect. It would sustain the credit of the country and raise its character for practical honour, because it puts the remote creditors of the Banks and merchants on the same footing with their creditors here on the spot, who would otherwise have the peculiar advantage of making a speculation of the Bank's specie until the vaults are drained; and because this measure, by putting the Banks in a position to extend their usual accommodation to the public, does justice to the foreign creditors of the merchant, who trusted him with their property solely on the faith of the existence of a Banking system in the Province to render that property easily convertible.

Ques. No. 4. However deeply may be deplored the necessity for the suspension of specie payments by the Banking Institutions of any country, yet, as far greater evils may be produced by a sudden suspension of the accommodation from Banks to the trade of a country, your opinion is desired whether that necessity exists in regard to this Province?

Ans. No reasonable man would advocate a departure from specie payment except as a matter of the most urgent necessity, and to prevent greater evils. Such necessity is proclaimed to exist by the almost unanimous voice of the inhabitants in order to preserve the credit of the Province and its trade.

Ques. No. 5. Do you consider that the financial difficulties which now exist in this Province are attributable to overtrading, and a spirit of speculation; or, do you consider that they are owing to the proximity of the United States, where an excessive speculation

has prevailed, producing an unprecedented condition of commercial embarrassment?

Ans. As I explained in Answer No. 1, our financial difficulties arise from *this Province being under the influence of American legislation*. Overtrading in Upper Canada can scarcely have existed, because the circulation of the Banks is not so much as their paid-in capital. I attribute the unparalleled condition of the commercial community in the United States to the unwarrantable anxiety of the Government of that country to fill its Treasury with English gold through the plausible expedient of forced sales of wild land to those who had no possible means of making payment except by defrauding their English creditors, and by the Banks in the United States not using their influence to check the evil of their own issues being involved in fast property. I think the Upper Canada Banks have been too prudent to allow of this to an extent which would create public calamity, unless the system of Banking were gone from as is now threatened, and indeed practically commenced.

Ques. No. 6. Supposing the Banks of Upper Canada to persevere in the payment of specie in the redemption of their notes, what would be the result to them and to the Province?

Ans. Upper Canada being a country whose capital consists nearly altogether in the world's well-grounded confidence in her great internal resources;—a country in which credit is the rule and cash the small exception; a country which requires loans to develop its resources, which loans cannot be had in specie, and can alone be got in paper,—I maintain that the result of specie payments being persevered in, would be, that these resources would remain undeveloped, and that the present far from despicable scale of commerce would get its death-blow,—and in its stead would be reared up a thing unworthy of the name of Commerce, but quite worthy of our limited realised means and our equally contracted views.

It is true that American legislation might step in to save us from a system of Barter on the verge of which we now are—to relieve the merchants here and in Lower Canada from a general bankruptcy;—to prevent immense depreciation of Bank Stock and all other property in the Province.

But did this not occur, specie payments being persevered in would threaten the Colonial Government with overthrow, and make it despicable in the eyes of the enlightened world.

Ques. No. 7. Will an immediate suspension of specie payment by the Banks of Upper Canada be productive of relief to the Com-

mercial interests?—if not, have you any suggestion to make which shall have for its object the relief of those interests?

Ans. The immediate suspension of specie payments would entirely relieve the country, as I have explained in my answer No. 2, if it revived the *Banking System*.

Ques. No. 8. Should a suspension of Specie payments be deemed advisable, is it your opinion that Commissioners to supervise the affairs of the Banks, and to protect the general interests of the Province, should be appointed, and by whom?

Ans. Bank commissioners should certainly be appointed. As they would be much in communication with the Executive of the Province during the recess of Parliament,—and in order to infringe no prerogative of the Crown, I think the appointment would emanate from his Excellency. But as the matter is *one of Finance*, I think the House of Assembly have a legitimate right to recommend persons in whom its constituents (the public) would have confidence, and I am sure this would be acceptable to His Excellency, as relieving him of part of the responsibility.

Ques. No. 14. Do you consider that the issue of Debentures, bearing interest, would serve the purpose of carrying into effect the objects of the last Session of Parliament, in regard to public improvements, in the event of the Province not succeeding in effecting the requisite Loans in London?

Ans. I do not like the idea of Government issuing small debentures, or short-dated bills, *to be held by individuals*; for if (*which is not an impossible case*) times were remaining bad, it might have difficulty in meeting them, and thus get into disrepute in England. *Individuals* could not be expected to take them at long dates; and I am of opinion that, payable in this country or otherwise, they would be useful to the Foreign Merchants as no more than apologies for remittances; for money in England among the trading community will, for some years to come, be too valuable to keep locked up in Upper Canada Debentures, even at 6 per cent. In any case I do not think it would be justifiable for the Legislature to involve Government in such transactions, except to very limited extent or without first arranging the payment,—thus making sure of the debentures being regularly taken up when due.

But the Parliament is anxious as I understand to use the Province's credit in any *reasonable way to advance the internal improvements chalked out by the last Session*, and the best way that I can see in which this can be done is for the Parliament if possible to arrange

at once a credit to the amount of One Hundred Thousand Pounds divided among the three Chartered Banks, for which these Institutions will issue *their* notes, half at two and half at three years' date, with interest at 6 per cent after 1st January next, in favour of the Receiver-General;—these endorsed by the Province would form the most unexceptionable *temporary* circulation we can have, for even debentures cannot be constituted a legal tender.

The consideration however of any such scheme to promote public improvement should not for a moment be allowed to deprive of its simple nature the object of calling the present Parliament—viz. "*Immediate and direct improvement to the commerce of the Country through relief to the individual merchants.*" I would therefore strongly recommend to the Legislature to make no arrangement requiring a *present issue* of bank-notes payable on demand for Government Debentures either at 2 or 20 years, for I am sure that the present direct accommodation to the trade would just be diminished to a similar amount. It is absurd as a matter of safety to the public to require the chartered Banks to hold Debentures, because this is supposing that the best security in the Province requires to be secured, that the paid-in capitals of these Institutions and their being under Government restriction and supervision are not security enough to the people who are nearly every man of them debtors to the Banks or of those who are debtors to the Banks.

Ques. No. 15. In what cases and under what circumstances do you consider that it would be right to authorise the suspension of Specie payments by the Banks; and what kind of paper or securities do you consider it most advisable for the mutual interest of the Banks and the Country generally, to constitute a legal tender?

Ques. No. 26. Ought there not to be some provision made for the protection of persons against whom the process of Law may be the issued, for the recovery of debts due Banks that may have suspended Specie Payments?

Ans. As paper cannot be constituted in this Province a legal tender, all that can be done is to pass a law saving the Banks and individuals (not the Government) from costs of suits commenced against them after they have offered their creditor the notes of the chartered Banks payable on demand, which, though not at the moment available, will command specie at its present standard immediately on our being relieved from the influence of foreign legislation; and for which being the case, the good faith of the Legislature is pledged: such Bank-Notes being thus far better than Government Debentures at extended dates.

Ques. No. 27. Is it your opinion that an additional value could be placed upon the Metallic Currency of the country, with perfect safety to trade and commerce?

Ans. The raising the value of all the coins which in the Province are a legal tender, or of any one of them of which the Banks have, or could easily get a sufficient stock, would answer as a check to the exportation of specie in ordinary times, though *even then* to know what value to put on them or it is no easy matter, if it is an object to come near the mark; but in the present desperate state of the Commercial community in the United States, such a measure, even if fraught with no direct evils, would be insufficient for that purpose, for the Banks could not be expected to issue freely while individual speculators from that country, willing to take specie at any price, could drain their vaults, and fear of which must hang over them until specie payments are resumed in the United States.

Ques. No. 28. Should the suspension of Specie Payments be legalized, do you think it necessary to limit the issue of the Banks, and require them at all times to retain a certain proportion of Specie in their vaults?

Ans. On the suspension by our Banks of specie payments, the affairs of these Institutions should from that moment be at all times liable to the inspection of the Bank Commissioners, and who, as a duty, should be compelled to make a scrutiny of their matters, at least once a month. All *restrictions* should be imposed on the Banks which would tend to keep alive the public confidence in them. The two following restrictions will be the principal ones required:

- 1st. The Banks should *not* be allowed to issue their notes to a greater amount than their Capital Stock paid in, until the Legislature allows them to extend their circulation at its next sitting.
- 2nd. The honour and the safety of the country demand at the present moment that the Banks, as well as individuals, should be above the consideration of any paltry saving of exchange. I would, therefore, recommend that the Banks be compelled to hold at all times a stock of specie equal to one-third of their Capital Stock paid in; this amount should on no account be regulated by their issues, as thus a premium for small issues would be held out to the Banks. By this we would show to the country, and to the world, that we are in a healthy state, and are ready to resume specie payments as soon as causes, beyond our own controul, cease to demand imperatively their suspension.

Ques. No. 29. In the event of the Banks not being authorized to suspend Specie Payments, do you consider that it would be practicable for them to continue Specie Payments, and can Specie, under present circumstances, be obtained, and to what extent?

Ans. Specie could not be got immediately to meet the whole of the circulation of *all the Banks* if a general run on them was made, and which I think would be the inevitable consequence of the Banks not being *authorised* to suspend specie payments at once.

Ques. No. 36. It is by some persons suggested, that the suspension of Specie Payments should only extend to *one* of the Chartered Banks; the Bills of this Bank would then, if made a Legal Tender to any useful extent, be as useful to the other Banks as Specie, and could, it is said, be obtained by them on fair terms, in cases of emergency. It is stated, that these Banks which are not interfered with in any way, could then continue their business with more advantage to themselves and the commercial community; and also, be relieved from the difficulties attending a return to Specie Payment, which the *one* Bank might experience. What is your opinion of this plan?

Ans. As paper cannot be made a legal tender, I refer to this question merely as the groundwork of a few general remarks with reference to the elements composing our heterogeneous colonial banking, viz. the *Chartered*, the *Joint Stock*, and the *Private Banks*.

If it were proposed and possible to make Bank notes a legal tender, I could as things stand only recommend the Chartered Banks to be *thus* privileged. And even if the privilege now intended to be conferred on the Banks is simply a temporary protection to their circulation against the desolating effects on the community of public causes, having a general operation on all, and the blame of originating which can be laid to the door of none in the Province,—still I cannot see that common fairness, or the safety and interest of the community, of which they are the guardians, can dictate to the Legislature so culpably liberal and insecure a course as to extend such protection to any of the present Joint Stock and Private Banks, *except such of them as are prepared to receive all the restrictions of Charters, besides to come under the same temporary restrictions which the Legislature will impose on the Banks already chartered.*

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SOLEMN APPEAL

To His Excellency, SIR FRANCIS BOND HEAD, *Lieutenant-Governor of Upper Canada, Knight Commander of the Royal Hanoverian Guelphic Order, and of the Prussian Military Order of Merit, &c. &c. &c.*

ON THE POSITION OF PUBLIC MATTERS IN THE PROVINCE OF UPPER CANADA.

BY ISAAC BUCHANAN.

Toronto, 27th June, 1837.

MAY IT PLEASE YOUR EXCELLENCY :

The theatre of your Government seems about to present a scene of the most distressing description ;—a picture whose deep colouring will be got *from the heart's blood of the country*. From one end of the Province to another, its inhabitants are already convulsed by the mere anticipation of evils which, it seems but too likely, WILL result from Executive mismanagement. But you may depend on it that no party feelings mingle in *their* present anticipation of the most fearful results and general individual distress that ever laid its heavy hand on a young country ; and you may rely on this too, that the irremediable disgrace of the present administration will never remedy, or be a compensation to the public for acts which have ruined, not one, but *every great legitimate interest in the community*. —acts which will bring down on the Province the pity of the Mother Country, and the contempt of the rest of the enlightened world. I would not use language so strong, did I suppose that there is one honest and intelligent man in Upper Canada who does not sympathize with my sentiments on the occasion—whose bleeding heart will not bear an unwilling testimony to the truth of what I have said, and am about to say,—*unwilling* for it is a great injury to such a man's best feelings to be obliged to condemn the provincial administration of a Government which has this strong claim on our caution and judgment, that *it is impossible for us to doubt its principles*. But your Excellency, and some others, who may read this appeal, may ask the question, why, in circumstances of so great commercial distress, I, an *individual* Merchant, step forward to make it, or rather why the Board of Trade does not avail themselves of the privilege of doing so, which your Excellency vouchsafed to that body when its members, about six weeks ago, presented its memorial to you, in

which it requested your Excellency to call together the Provincial Parliament, in its wisdom to adopt measures for the relief of the Commercial distresses of the country,—for your Excellency then used the following beautiful expression, to show that your councils are confined to no one set of men in the Province, “*The whole country are my counsellors.*”

Let me, then, explain the cause of this, and tell your Excellency and the public, that no person can possibly desire public business or notoriety less than me, that I come forward just now, because the Board of Trade appears, to me, to have failed in a great public duty to your Excellency, and that, I think, its silence and apparent apathy at the present moment, when all the principles of Commerce are getting their death blow, is most culpable and unaccountable in true protectors of the Trade of the country; and, that, were I in circumstances to be served by any public measures which did not promote all, or which injured any, of the *legitimate* interests of the Province, or to have my motives, for a moment, called in question, I certainly would not have made this Appeal to your Excellency—and I beg of you to give an indulgent consideration to my views on the state of the Colony, and to believe that no selfish views could have suggested such a task to me as I now enter on, seeing that in any attempt to make the *light of truth* bear on the causes and consequences of men’s management of *public systems for the good of others*, I am likely to come into collision with many violent prejudices, if not with many corruptions which are really affecting the vitals of our Constitution; for I may thus make many personal enemies, of which I am not aware of having one at present in the Province—but the chance of finding, in the illiberality of individuals, an end to this proud consideration, is insufficient to dissuade me from the discharge of what I believe to be a duty to your Excellency and the public, though I am all the time keenly alive to the fact, that this consideration should be a much more serious one in the familiar circumstances of a Monarchy, than amid the unfeeling relations of a Democratic state of things.

If I sympathise with the people of this, the noblest of England’s Colonies, because the likeliest to England herself, I must for once and for all give to the winds the consideration of those of your Excellency’s official servants, who prey upon the feelings as well as live on the money of the public, though nine-tenths of the inhabitants are far more truly loyal to the British Government, and far more *heartily* prepared to support a good administration than nine-tenths of your officials, though they leave it to these *interested individuals* to exercise loyalty to any other or to a provincial party—a party which is the real disturber of the country’s peace and prosperity,—the individuals composing it forgetting that it is as absurd to attempt to impose an

Oligarchical Government on a *free people* as was the *Bentham attempt* to prepare a South American population for *freedom* by imposing on it a *free government*—a representative government!! not representative of what the people *are*, but what they *ought to be*!!! for a popular Government can be but as *free*, and it will not be less *free*, than the people—

[WHAT SHOULD HAVE BEEN THE REPORT OF THE ROYAL COMMISSIONERS ON LOWER CANADA,]

—as absurd as *Mr. Pitt's vain and abortive attempt* to prepare the Frenchmen of Lower Canada for English liberty without giving them English laws and English hearts; for what a reflection on the world's wisdom is to be found in the fine minds who framed the Lower Canadian Constitution of 1791, having produced that most precious expression the world contains of *political humbug and misdirected liberality*. But why is it a *humbug*? and why is our own revered Upper Canadian Constitution *not* a *humbug*? *It is so* because it supposes *Frenchmen to be Englishmen*—because it supposes *English liberty consistent with French exclusive laws and feudal rights*—because it supposes the same gross absurdity as has entered the imaginations of your officials, *viz*: that the population can be brought by the Government into the views of the Government, whereas a popular Government can only represent the real state a people is in. You will pardon my mind being for a moment diverted from the serious state of our own Province to set up a lamentation for the occasional mismanagement at head quarters even of the best Government on earth, of which one of the most palpable instances that ever disgraced, and still continues to disgrace, the Statute Book of England is the Lower Canadian Constitution of 1791, *building English freedom on a ground-work of French prejudices, pampered by French laws, French language, and French exclusive privileges*.

The Lower Canadians are perhaps the most amiable population on earth, and can I, or any other Englishman, wish to injure so inoffensive a people? I don't think that there are a hundred intelligent men in Lower Canada who would suppose such a thing, or who are at heart enemies to British dominion there. On the contrary, however, I don't think there is an impartial man, who is acquainted with the ramifications of Lower Canadian society, who does not see that the French have been grievously injured by *theoretically free institutions being imposed on that ignorant, though amiable population*, by the British Government *having bestowed a boon on Lower Canada which, however intrinsically great, she did not want and could not appreciate*,—and of course is not thankful for, and of which by the way the kind intention is alone truly deserving of the thanks of a population in such formerly happy circumstances, if the use of free institutions is to effect the greatest happiness to the greatest number. The light of

the sun, in all its glory and splendour, will present itself to the eye of a blind man as effectually, and in as much mockery, as free institutions to a people in such happy ignorance as the Lower Canadians. But I wish I could see removed from them this *theoretical English abuse*, viz. free English institutions *with no good practical operation*, because clogged and restricted by French prejudices, privileges, and ignorance, quite inconsistent with English freedom—(their authors not seeing that self-government must commence *within the man* before it can *in the Government*.) It is not the case that Frenchmen in Lower Canada wish to become Englishmen farther than to have the mild influence and protection of the British Government, to secure them their rights, language, laws, and religion, *as Frenchmen*,—farther than not to be humbugged by the responsibility of this being thrown off the British Government and upon a provincial, irresponsible Oligarchy, with Canadian Family Interests, by means of the plausible but no less great political delusion of *giving them free Institutions*.

I appeal to your Excellency's knowledge of Lower Canadian history if my argument is not borne out by too many and too melancholy facts, viz :—that an English Constitution ought never to have been given to that happy, *when not constitutional* country, and ought now to be taken away instead of *what is called a charter of freedom*, being infringed upon and *tinkered* by the present Ministry in England, in a way which makes reason blush and freedom weep.—And I refer to the existence in Lower Canada of the respectable radicals of 1828, to prove my second assertion, (*and which, by the by, does not apply so ill even to Upper Canada, except that Englishmen will not stand executive or official mismanagement as Frenchmen will ; and are prepared, through free institutions, to put down an Oligarchy which has usurped an existence here*) that the giving theoretically free institutions to Lower Canada, where they cannot be *practically operative*, removes the responsibility from the disinterested and impartial hands of the Home Government, and lands it in *no responsible quarter whatever*, but just leaves the now unfortunate Province of Lower Canada in that state that any *authority* in the country is used, or is liable to be used, to the disadvantage of the people by a Scotch Provincial Snobocracy having no interests or sympathies in common either with the French or the British part of the population, and, from the tender mercies of which, Lower Canadians, not having, in their own moral force, an internal check, should appeal to be relieved by getting quit of a constitution which is a practical curse to their country, by shutting the door against their *real grievances* being carried *direct to the foot of the throne and promptly redressed*, because they have at present in a Representative Government the name without the reality of *redress within*

THEMSELVES. Why, then, do not the Lower Canadians petition for the removal of their only real grievance *a constitution which is but a system of vested wrongs?*—thus changing the Government from an unfeeling English Provincial Oligarchy to its old mild form, a kind, paternal Monarchy. It is because a few Canadian radicals in Lower Canada, as well as Canadian Tories, or rather *Exclusives* in Upper Canada, wish to usurp the reins of Government in these Provinces respectively, for the good management of which, by them, there is as little security in the intelligence of the people of Lower Canada, as there is in the disinterestedness, *impartiality, and practical honour* of our would-be Canadian Oligarchy in this beautiful, but if left to them, ill-fated Colony.

UPPER CANADA AGAIN.

But I now approach your Excellency to appeal to your *impartiality* regarding the theatre of your own Government, the sunny Province of Upper Canada, part of which, strangers might infer, from your Excellency's *Bubble* views and *Bank Circular*, raises the southerly productions of Silver and Gold!! Let me tell you, that, though I have in Canada realised no such *golden dreams*, that my experience of this country and its yeomanry tells me, that its circumstances and its situation have this strong claim on the best feelings of every *respectable English* emigrant, that it realises for him and his family more than he could *reasonably* have anticipated. If it is not only by emigration of English subjects, but by Monarchical principles, whose true and only true, basis is to be found in the prosperity of the population already settled in Upper Canada, that this Province, temporarily and eventually, can remain a British Province,—I must be pardoned for firmly protesting against your Executive sacrificing, at the shrine of Oligarchial ignorance, or abstract theories of Government, the true interest of the Agriculturist, the fond hopes of the emigrant.—Your Excellency's Executive has its hand in the pocket of every individual merchant in the Province, but *they* have all the satisfaction to know, that when they fall they fall in company with your Excellency, *only* till they reach that point where a man's capital is the esteem of a world which sees his failure has been his misfortune, not his fault.

**IF THE WHOLE COUNTRY WERE YOUR COUNSEL-
LORS, THE WHOLE COUNTRY, SIR, WOULD NOT BE
COMPLAINING OF YOUR ACTS.**

I, Sir, am not one of those individuals who want to rise to popularity on the shoulders of your Excellency's reputation. All I demand, and what the country will not surely be defrauded of, is, to be allowed

peaceably to rise to respectability on the true ground-work of Commerce, the prosperity of the Farmer and Operatives, the productive resources and industry of the country. It is your sacrifice of the Farmers' *every* interest that I chiefly complain of; for I have already given to the winds the consideration of that fashionable part of the community, emigrants from England or Canadians born, holders, or expectants of office in the Colony, or lounging idlers about the Towns, who, looking for *curiosities* amid the *realities* of a new country, find themselves the solitary *Lions*, performing with the heels of *spurred* Wellingtons, Quixotic capers *on the ice* or on *muddy streets* lined with the *Buffalo* population, so graphically described by my friend, Mr. William Laidlaw, St. Louis, Missouri, (which heels are more made of by the admiring *Assembly*, and alas, like that of Troy's hero, more invulnerable and dangerous to their constituents, than the interests of Ilium's devoted Merchants)—and to whose "Characteristics of Men" who *flourished* in little York during the times of Lord Selkirk, I would refer your Excellency, if it is an object with you to know the *origin* of *public character* in Upper Canada, its *consistency* and its *mysterious end*.

But a short consideration, may not be uninteresting, of the persons who philosophise with their eyes shut, except to the objects which characterise the environs of Monarchical Toronto, the capital of Upper Canada, the centre of the known world, but not, *just now*, the *centre of gravity*. Let me ask such people, if in their most vivid conceptions of so great an object of enlightened curiosity, these conceptions which led them to cross the great Atlantic, at the imminent risk of their lives, to disregard the danger of American Steam-boats, on the blow-up principle, and taking shipping at Rochester to hurry across Lake Ontario and the peninsula, and leaving the comparatively *small* natural wonder of Niagara, fifty miles on the left, eagerly to push on to see a SPOT, of which it could be said that its *commercial greatness*, as well as its *nominal littleness*, had departed

Ilium fuit—

Ilium WAS a town.

and to *roam* amid the grandeur of our Canadian *Rome*—if, I say, *even then* their imaginations did not fall as far *short* of this *limit of imagination*, this *jumping-off place* of civilization, now dignified by the name of "City," with the fine Indian *qualification* of Toronto, as did the unenlightened mind of Virgil's swain before he visited that "Rome" which was the *then centre* of the *then known world*, when he exclaimed,

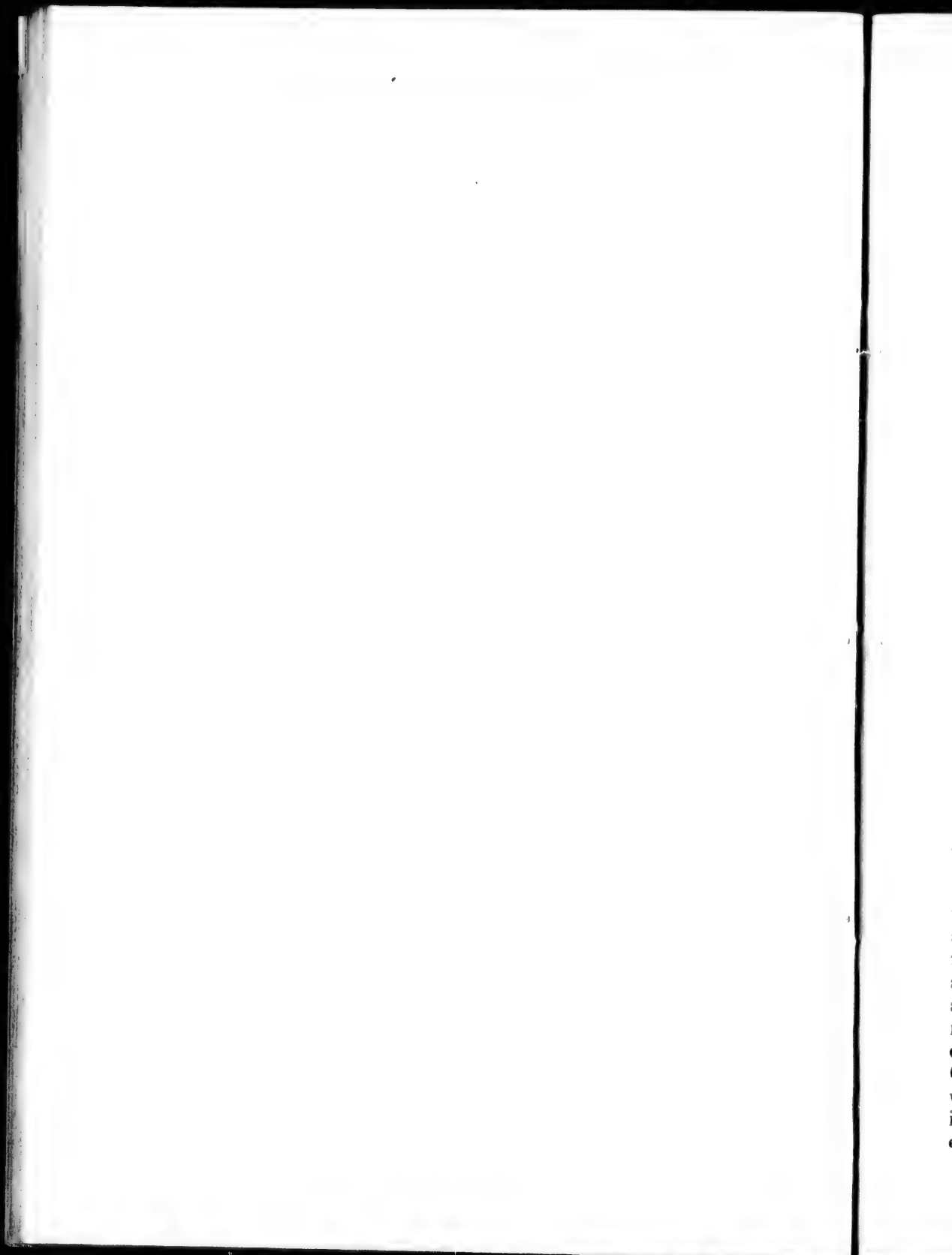
"Fool that I was to think *Imperial Rome*
Was like this *little City* of our own,—
Whence we Shepherds *drive* our tender *young*."

But to be serious. I am as great an admirer of the British Government, and as true a friend to it, as ever, when its practical blessings, (not as in Lower Canada and here, only theoretical principles,) were in danger of being lost to a people too stupid to recognize its *unobtrusive influence on their condition* found a privilege in the duty of rearing himself to its support, or as ever found a duty in the British privilege of preventing the executive from *obtruding itself* into the vitals of our chartered liberties.

But your Excellency has paid too much attention to the *operation* of all the different systems of Government in the world, to deny my assertion, that I am not under a legitimate form of British monarchy, if I find the Executive with its hand in my pocket *more than is reasonable*, and that I am not a true British subject, if I were not more ready than the Government could be at any time to sacrifice my person or property in support of what I honestly believe to be its *disinterested* principles, the only earthly *partiality* that can arise to affect *its subjects* being the clings of weak humanity to what is not *its* interest which will be found in the Administration of British and all other systems while *men* work them. The *safety* valve of our Constitution is in its own *operation*. It makes so free not only our bodies, but our spirits, that in such critical moments as *we* now have, when the views of the Executive and the views of the population differ, we have a right to say either that this is not the British Government, or the British Government *ought not* be here; either this is a bad Administration, or these are bad subjects!! What a political safety valve have we in the well-proved truth that the British Government is too free and practical a system to admit of any theoretical absurdities to mingle *even its details*; for we have it from Downing Street, that enlightenment has gone too far not to promulgate to the Colonies that no Colonist should think *that* the British Government which does not speak home to the interest of *far more than a majority of the population*, and how much less then am I justified in supposing the Governor of Upper Canada can be fairly acting on British principles, if I find him proposing, as is the case with your Excellency, to lay prostrate *every interest in the Colony*?

(See continuation.)

N. B.—The balance of the *appeal* is so far unnecessary, because the falseness of His Excellency's *present* position is pretty clearly brought out by my other productions; and as to its more general contents, viz. the general affairs of the Province, and the mismanagement of a party Government since the days of Willis and Gourlay, and the dangerous tendency of the ultra-Radical majority in the last House of Assembly, the public object is not so *immediate*, and it will be attained if His Excellency, as I am persuaded he will, give an equally impartial consideration, and no one will charge me with having any private object to attain by appearing before the public.



L E T T E R
ON
THE UPPER HOUSE OF LEGISLATURE
AND THE
EXECUTIVE COUNCIL OF THE PROVINCE.

Toronto, U. C., July 10th, 1837.

To DAVID THORBURN, ESQUIRE, M. P. P.

House of Assembly.

DEAR SIR:

I am as anxious and as interested as any person can be to see things got into a *settled condition* in this Province by means of *rational reform*,—I mean by improvement as far as it can be carried in a *young* country which must, as you well know, long endure the practical *scourge* of having proper elements neither for Government nor Bank directions, and whose ignorance must long be a salutary check on its inexperience.

But I cannot help regretting that the opposition in our Commons' House of Assembly give it as their opinion, and that Mr. Speaker Bidwell formerly gave it as his opinion, that to effect the object which all honest men have in view, a change in the Constitution, so serious an alteration in our principles of Government as the making elective our Upper House is called for. I allow that the Upper House, constituted as it has been, is an evil; but I think the doing away with it is impossible, and were it possible, that such a course would entail on us far greater evils; for then all the elements of our Provincial Government would be *purely democratic*; for then we would have thrown away all the advantages which our principles of Government possess over those of the United States, except that we would still have, in the strong arm of the British Government, that check to *mobularity* which nearly all the intelligent Americans are anxious to attain at present, by a far more objectionable means, viz: by raising up a National Bank, powerful enough to controul and qualify, not only the administration of their Government, but also their Legislation. But I think the Upper House will gradually improve; and I can assure you, that to persons coming into this country and viewing matters with an impartial and disinterested eye, it is by far the best feature in our Government. Such people see

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around them a population which would not submit to oppression *legal* or illegal; they ascertain what our laws *really are*, and find them to be far from objectionable,—and then their eye naturally seeks out a guarantee for the state of things continuing, and what they could not find in an ever-changing minister of state, or in an ever-changing elective body, they find in the Upper House, and, say *here*, we have a pledge that things at least will not get worse—that if the country is *retarded*, it will at least not be *ruined*. Would paying the *honourable* gentlemen by the day make them attend to their duties, do you think?

I again allow to you, that, in extraordinary times like the present, the Upper House's negative qualities *are difficult to put up with*, for then people's minds are less able to bear a little present inconvenience to attain, or rather *not to lose*, a great advantage in the future; but the eyes of the Members of the Legislative Council will surely by degrees become *accustomed to the light*; and I believe, and the country believes, in the meantime, that, as a body, they are honest men, and *well-wishers* to their country,—which are fine principles to begin upon, you will admit.

Let me then suggest to you to look for a permanent remedy in another quarter, viz.:—in *operation*, assimilating our Executive to that which has been found to work so well in England.

I suggest to you—Your moving in the House of Assembly an Address to His Majesty, praying for an *Executive Council*, as follows:—

The Governor to appoint a Privy Council, to whom there would be no salaries.

The persons thus appointed to be *sworn to secrecy*.

The Governor to be obliged not only to consult his Council on all matters of importance, but to register *every act* of his in a *Journal in Council*, and in which Journal would also be registered every and all the *Instructions from home*; and which will act mightily in improving these *Instructions*, you will observe, as putting the Minister in Downing Street much *more* on his guard, thus saving us much *petit maitre* interference.

The heads of departments or other *paid* Officers of Government not to be permitted in the Council, because their situations may possibly be a restraint on their independence, and of course on the people's confidence in the Government. No one would pretend to say, that a Minister so responsible as the Governor of a Colony should not be at full liberty to get advice from whom he pleases. He would therefore naturally consult the heads of departments in most transactions of the Government; but I ask you if any head of a department is a proper person to ask what the public think of the management of that department? It need not be argued that the Colony is yet too young and not far enough advanced to spare the officers of the Crown

... of the Council ; for I do not wish to deprive His Excellency of their advice, but only argue for the right of the people to have some *free agents* about him, and acquainted with the views of the Home Government with regard to our affairs, and with every thing that has occurred here. My object is not to force any particular councillors on any administrator of the Government, but only to secure him in a legitimate and *unquestionable* means of retaining the confidence of the Colonists in his acts,—in fact, to do away with all *unnecessary* grounds of suspicion. Without some such plan, I believe, most sincerely, that there can be no permanent calm in Upper Canada, rich though it naturally is in the great elements of peace and happiness, viz. PROSPERITY.

The *first space in the official Gazette* always to be allotted to retirements or appointments of the Privy Council of His Excellency,—any member thereof being allowed to sign out in this way ; thus withdrawing the influence of his character from the support of the Provincial Executive when he considers that a *vital blow* is given by any act to the principles of the Government or their proper administration. This would be a *silent* act and accompanied by no explanation, and seems to be a warning required by the Governor as well as by the country when danger is at hand, and it would originate much honesty. Such an arrangement as the above would operate thus :

Supposing the Executive popular—all is well.

Supposing the Executive unpopular from mismanagement on the part of the Governor, by the above plan the *responsibility is thrown altogether on him* by the Councillors retiring.

Supposing a good Governor and bad Councillors, he would publicly rid himself of them without his administration suffering, if he can gazette better men than those he has dismissed.

Supposing that they were at the root of the evil when they asked for responsible *Councillors*, was very blind in the Radicals. This country must have a responsible Colonial Minister in the Governor, liable to be turned off as the Ministers are in England by *public opinion*. The mode of effecting this within a definite time has only to be made well understood for the satisfaction of the Colonists.

The test whether a Governor should be recalled, ought to be the vote of the Lower House. If **THREE-FOURTHS** of the House of Assembly vote the Governor "*dangerous to the Colony*," he should have it in his power *once* to send them back to their constituents ; and in case the new House repeated the same hostile demonstration, *he* ought to go home as soon as a new Governor is appointed and has come out.

I am of opinion also, that a better *system of Finance* is required in Upper Canada. I think the money matters of the Province ought to be put under a Board of men who understand money matters, with their acts subject to the approval of the Governor; for I argue that the Receiver General's security is not for the correctness of his views but for his honesty.

I hope that it will be plain to you that my suggestions are all of a practical nature, and that no private interests or theoretical views have led me to discuss subjects so important, or to meddle with so much venerable dust.

I would be sorry, very sorry, for a moment to be suspected of being the advocate of innovation; but I leave it to others to insult the British Government by for a moment supposing that free enquiry into its principles and operation, will lessen the people's admiration of them. I will leave it to others to show *their* loyalty to the British Government by shielding, at any time, corruption or ignorance in our Colonial administration.

But I will not confine my regards to *venerable* dust, for in conclusion let me tell you, that the cause which has been most operative in disturbing this Colony for the last two years, and in at present rendering it impossible without legislative interference to avoid the present interruption to our monetary system is the squabbles among the Banks, and their mutually scheming to injure each other all the time, and to get hold of each others paper, thus making the circulating medium contracted and unhealthy, and making the Banks irregular in their discounts to the trade. I go upon the principle of always following up my objections to any state of affairs by stating what, in my own opinion at least, would prove remedial. I therefore now recommend my friend Mr. Thorne's (of Thornehill) plan to be adopted for the putting a stop to the dirty work of picking up, by any Bank, other Bank's notes. Mr. Thorne's proposal is the most practical one, I think, that I have heard suggested, viz: that the law be altered so as to compel the Banks to have weekly or monthly Exchanges, and for the balances to take Government debentures at twenty years, bearing 6 per cent interest; the Officers of all Institutions and all individuals allowed to Bank, being under oath, to exchange in no other way, and not directly or indirectly to draw specie from any other Bank. Debentures passed from one Bank to another might be returned, and, no doubt, often would pass from Bank to Bank as exchanges, besides being current in the Provinces and elsewhere like all other debentures; but as it is an object for the Government to sell Debentures just now, I would recommend Bank exchanges to be based on a particular issue of debentures to be made, and that the Banks could at all times get such from Government, by paying down in Specie one-fourth the amount, and

giving ample personal security for a similar payment being made every three months thereafter with interest.

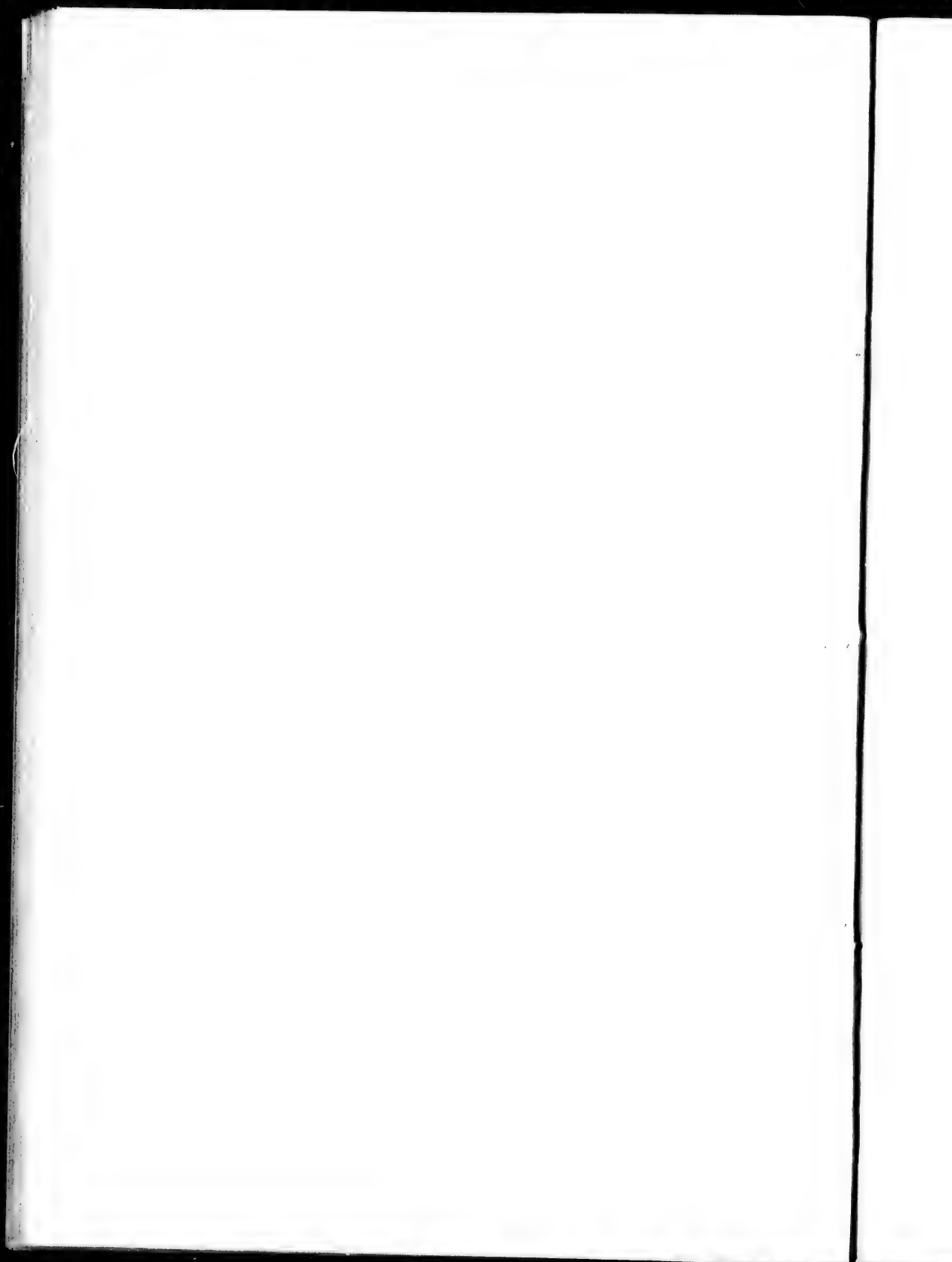
Let me farther remark, that sometimes we want to quit ourselves of Governors and of corruptionists, but we never want to depart from the principles of the British Government; and if such a time should arrive, which I hope from the bottom of my heart never may arrive, when three-fourths of the people are asses enough to wish to lose to themselves so disinterested a system of Government as *British principles under a pure administration*, I should be sorry to see the King coveting such subjects. *He* has no interest in keeping them; and he, as well as the House of Commons in England, would, I can assure you, let them go in peace.

I am,

DEAR SIR,

Yours most truly,

ISAAC BUCHANAN.



CLERGY RESERVES & SCHOOL LANDS

IN UPPER CANADA.

MR. BUCHANAN'S LETTER to WILLIAM H. DRAPER, Esq. *Representative in the Provincial Parliament of the City of Toronto.*

TORONTO, U. C. 12th November, 1836.

SIR,—

I address you thus publicly, because I wish to speak to you in your capacity of Representative in Parliament of this City.

Your Constituents see in you one who (if your sentiments *prove themselves* to be those of the people) is possessed of ability sufficient, with their assistance, to bring about, as the head of a great middle party, more contentment and happiness in this Province than could have been effected by any other man since party-spirit first characterised the Colony and since the Home Government was brought to that sense of its colonial position which will allow its colonists the advantage of the great English principle of fair play—since ability and sound views could stand on their own legs in this Province.

With it as my object to get at public opinion, I wrote a paper about two months ago on that rankling subject, the Clergy Reserves; I overcame my own personal abhorrence of notoriety in the wish to induce the expression of public opinion for the benefit of you and others who owed your elections to PROMISES (since I must not use the word “pledges”) to get this question *set at rest, in one way or other*, at the very commencement of the present Session of Parliament, upon a principle of *no monopoly*. No person who believes the state of political feeling in this Province to be what I hold it to be, could honestly support any measure he believed to be against the wishes of the majority of the people: If he did so, he must disbelieve in the people's loyalty; for is not the support of British Supremacy *test enough* in Upper Canada? Suspicion, let me remark, would form but a questionable beginning to acts of reconciliation. I say no less for the Crown of England than I do for the Upper Canadian people, when I say that greater loyalty in any people exists only in appearance—*only* in name.

The day has gone by when monarchy rested on the weak and *always* insecure basis of prejudice or ignorance, or corruption; and who will regret that the time has come when the King of a mighty people in an enlightened age *must* be the Sovereign of their heads

as well as of their hearts? Are *they* the people's friends, are *they* friends to the Throne, are *they* friends of truth who would make the people think otherwise? Natural affection and national pride will, and ought to do much to attach Englishmen, Irishmen, and Scotchmen, and their descendants, to the British Government; but should the due exercise of these safeguards of the Crown prevent us from seeing that our loyalty (not to be unmeaning or hypocritical) must have a higher origin, a firmer foundation, than is to be found in our pride or in our amiable and easily-affected *feelings*? We should be loyal to the Government, not because it is the *British* Government—the government which our fathers supported—but because we are firmly convinced that it is in its principles, and should be in its details the *best* Government which the circumstances of this country or perhaps any other will permit of.

At times when the people of Upper Canada have appeared to oppose *Government*, I verily believe that it was the bad colonial administration, and not the *principles* of the Government which they meant to attack. But suppose, for argument's sake, that the people had gone farther than they really did, and have on some occasions confounded principles with results, not of those principles but the administration of them, should we remember this against them without having our judgment or decision on their conduct, softened by the remembrance that they are not without examples of this negative line of argument in those to whom, in the opinion of themselves at least, the population should look up.

In the case of the Government transaction with the Canada Company, do not these same libellers of the general loyalty of the Province try to hide the *bad policy* of the measure by appealing to the *comparative good resulting* from this grant to speculators? Not doing the Canada Company the justice to tell the people that *their good management* has gone far to remedy the mistake of the measure, and has prevented the incalculable evil which an ill managed company would have inflicted on the country.

In the case of the Church of England in Ireland too, has not a party tried (*though the attempt has been too ridiculous*) to bring forward the partial good resulting from, or in spite of *its* narrow, bigotted and antiquated principles, as an argument for their *soundness*, forgetting at once what good *might have been* done in Ireland, and the heart burnings and animosities of which their system has been the landmarks, and the evils it has originated and fostered?

Good *may* come out of such evils, and it is a cheering reflexion; but by the same show of argument why may not those persons in Upper Canada (including myself) who hold the opinion (and will decline the baseness of disguising this or any other of their opinions) that the *acts* of the late House of Assembly tended to separation from

the mother country, without believing that any individuals of the party anticipated such a *result*! Why, I say, may we not rejoice in the *existence*, the yet unstified existence of that party (assuming it as the destructive principle) because we believe *that the acts of its Representatives* (its results) have brought good out of evil—have opened the eyes of our Executive Government, to the absolute necessity of doing justice to the people, so as to concentrate the constitutional force, to make those unanimous, who have British supremacy *as their common end*, (whatever may be their differences on minor points,) in order to save the country a revolution, the Crown a Province. Let the government remember that though great evil has arisen from the want of plainness in the expression of the people's opinions, the Executive Government has never hitherto, (unless we can except the appeal by our present Governor,) encouraged *them* to come forward boldly and unreservedly, but seems always to have entertained a distrust of the people, as if the people *were likely* to decide contrary to the Crown, as if their interests were different. The principles of duty and the feeling of interest, required to be keenly looked to in less important relations, have been unnaturally forgotten, in the case of our Executive and the people. Government has seemed to scowl at independent views. The vanity or prejudice of the father of a family, (and is not the King the *father* of his people?) might lead him to see strangers or others, in whom he had *little* interest, agreeing or pretending to agree with *his* opinions, on false grounds, or without understanding them; but unless in the case of gross ignorance, will not the duty, the interest of a parent rise superior to that vanity or prejudice which would allow him to hear in his child but the senseless echo of his own opinions, or which would not encourage the child having an opinion of his own, and not try to make him agree with himself by guarding his principles, watching over his education, and not driving him like the Prince Regent, into other than his own society. In all sincerity, I ask whether government has not forgotten the endearing relation which should exist between a monarchical government and those of whose liberties and principles it ought to be the natural, the best guardian? Or remembering this relation, whether it has not abused its advantages and lost sight of its own interest, in its premature jealousy of its child? the evident conclusion in these cases is, either that the father has got into his dotage (we have all heard of the old age of Justinian,) or that he is surrounded by parasites with their eyes fixed on the children's purse, and determined to make **THEM** prove themselves UNWORTHY OF IT, if neglect can effect their diabolical object.

Will it be objected—"O, but there is *one* exception to this system of neglect, *one* favoured son whose views are indeed his father's." I

ask, has he too taken a part in alienating the father's feelings from his other children, and in raising in their discontent a bold relief to his own fawning obsequiousness, his *vociferous* attachment? Has he kept his *designs* within bounds by nicely calculating what designs of his would and what would not be *likely* to cause the just resentment of the other children to outstrip their natural allegiance? Can he really have made a speculation of their affection? (loyalty.)

Have his designs been various in their nature and had a bending character to suit the changing circumstances of the family? Has he not now and then outraged the forbearance of his brethren, and endangered not only the peace of the family, but what *he* values more highly, his own safety and interest, and been driven to take refuge behind the *prerogatives* of his father? In such cases has he given a simple, if not an amiable illustration of *his own* loyalty, by thrusting his father INTO THE BREACH by pushing him into the place which had become too HOT for himself?

Had they had an estate among them independent of their Father, say for instance the *Clergy Reserves*, and when the other children have clamoured for their share, has he said nothing of himself having *already* appropriated a share, regardless how questionable his title may be in law or equity, and has he not, with great tact and with apparent *fairness*, dwelt at length on the disputes likely to arise in a happy family!! from *any division whatever* at present, and finally appealed to them, whether their confidence in their parent was not great enough to lead them to get quit of their quarrels by deeding away the disputed property to him, to be divided among them with his other lands according to the dictates of a father!! Can *he* have had a notion all the while that the estate will all come to *him* at last, and that his declining a present distribution is *his* best policy to save it from being broken up? Under such artful management is it to be wondered that the unsuspecting children should be kept quiet and be deceived afresh? Not finding *him* as usual wrapt up in a system of exclusion, were they to fear that danger to them lurked under the assumed garb of simplicity? They knew that the depths of *family* toryism would no longer cover him. But could they have expected that he would be so barefaced as to take refuge like the flying fish when pursued in the *higher* regions of LIBERALISM without *any* change of views?

If all this be true of him, the *privileged* brother has shown great management but little judgment, and no enlargement of views. He has built a mighty superstructure, but has forgotten the foundation. He has thought to benefit himself by injuring others, smoothing over the sore he has not healed it.

I believe a monarchical government such as our own, to be freer than any other. In what country could I state my sentiments so

freely? But because the principle of our Government is good, are any of its ministers to be allowed to commit crime in its name? for my part, I believe that those persons who with sacrilegious hands have wielded the prerogatives of the crown to party purposes and perversion of the laws have done more against monarchy than the avowed democrat.

Deeply interested in the country, I feel anxious that the most *popular*, and therefore (circumstanced as the question is) the *best* plan be adopted for getting the Clergy Reserves and School question settled in a satisfactory manner, without alienating the endowments for churches and schools to other purposes, than the Christian Religion and *common* Education.

I now therefore, without wishing to be understood as having seen any thing impracticable in my first plan, give a detailed statement of another plan, which I think also reasonable.

In doing so, I feel myself called on to state that the suggestion which led me to think it worth while to make this second attempt, was made me in a letter, which William Lyon Mackenzie, Esq. did me the favour to write me on the subject of my former plan. He disapproves of my proposed tax for Religion, but says,—“*to tax the people for educational purposes, I would be most willing.*”

SYSTEM FOR COMMON SCHOOLS.

The remaining School Reserves amounting to about 4 Townships or 240,000 acres, should be inspected most particularly, and A DEMAND MADE ON GOVERNMENT FOR AN EXCHANGE WHERE THE LANDS ARE BAD. These Lands should then be sold or leased as opportunities occur, and the proceeds or yearly rent made to form a “Common School Fund.”

To support the said School Fund, a yearly tax should also be levied from all Freeholders and Leaseholders in the Province, to be called the “Common School Assessment.” The School system proposed need not *necessarily* have any thing at all to do with religion—I would however recommend not only that the Assessment be levied in such a way as that the amounts should indicate *the number of the inhabitants*, but that *they* be classed in the Assessment in religious bodies, so that the Assessment roll might be made use of, if the Legislature sees fit, AS POINTING OUT THE FIELD FOR IMMEDIATE USEFULNESS REALLY OPEN TO EACH SECT, AND THUS INDICATING THE EXTENT OF THE SUPPORT EACH CHURCH SHOULD RECEIVE OUT OF THE CHURCH OR “CLERGY RESERVE FUND,” which has as adherents a certain number of people, (the number to be fixed by the Legisla-

ture,) sufficient as a guarantee for the safety of the doctrines or the necessity of HAVING THEM EXPOSED.

The House of Assembly would at the commencement of the system appoint the places where Schools are to be, and at each succeeding session of Parliament would be open to applications and representations on the subject from the particular Townships. A general salary would be fixed on by the Assembly, and no school master should receive more, and none less. I would recommend the salary besides a free house, to be not less than one hundred pounds per annum. No man should be ineligible for the office on account of his religious tenets, if he only professes the Christian Religion and is UNIMPEACHABLE IN HIS GENERAL PRINCIPLES AND MORAL CHARACTER.

To the PEOPLE in each township should be secured every shadow of patronage under the system. They should have the choice of the individual schoolmaster who is to go among them, but for my part I never would consent that the qualifications of those entitled to be candidates be left to a *town meeting*, or that a schoolmaster when PLACED should be liable TO BE TOSSED IN THE BLANKET OF THE PEOPLE'S PREJUDICES. I should therefore propose to have a general provincial board for licensing persons fit to be candidates for the situation of schoolmasters, and a district Board with full powers to decide all matters of difference between him and the people, and dismiss him if they see fit. No one on this plan would be eligible till he has passed a board at the capital of the Province, half to be appointed by the House of Assembly and half by the Governor. The people would then at their common Town Meeting, choose for themselves from among the licensed number, the majority in the township would be satisfied of, and form a check on his character, his morals, and his religion. His literary and other necessary attainments, would be seen to by the general provincial Board.

If the Majority were Catholics, they would naturally choose, and in common fairness should have, a Catholic schoolmaster; and *vice versa*, in the case of the bulk of the population being Protestant.

If, from the difference of religious faith, schools in a few cases have to be multiplied more than would otherwise be needful, the evil is a small one compared with that which would cling to ANY SYSTEM ON A LESS BROAD BASIS, if such were practicable in this Province. I should propose that the District Board of Education have it as a part of their duty to examine the schools within the District every three months.

CLERGY RESERVE QUESTION.

The objects of my present plan are these—to retain all sects of Christians as the *contented* subjects of the British Government, and to get a Protestant Government quit of the INCONSISTENCY, the weak and unprincipled policy, of directly supporting religious tenets in which *it does not believe*.

But equal justice and favour must be done to all our colonists, if they are to bear any MORE THAN THE NAME of the King's subjects. Government, if it expects every British subject to sustain that character when called on "to do his duty," must do away with that *spirit-depressing system* of favouritism which has hitherto been the bane of the British Empire, and qualified much of the good which she has *lavished* on her colonies. I protest against the ABSURDITY of any class of Christians being saddled with the DUTIES of subjects, and deprived of their PRIVILEGES. In the case of the Clergy Reserves, I PROTEST AGAINST ANY CHRISTIAN SECT GETTING ANY FAVOUR WHICH ANY OTHER CHRISTIAN SECT IS DENIED, if that sect can bring forward a given number of adherents to vouch for its doctrines being consistent with the safety of a *Protestant* government. Why should Government *wish* patronage in religious matters unless it *intends* partiality? Our Government, as patron, not to be partial, must (and I am *ashamed* to say *has* done so already,) violate and compromise the first principles of *its existence*, and stoop to a *pretended* friendship, with obnoxious religious tenets, while it ought, as a Protestant government, to have taken the *straight-forward* course, the high ground of saying, to the Catholics—"Not believing in your doctrines, we decline the unprincipled inconsistency of giving them any government support; but, in deference to your *tried* loyalty—to your having shown, in this Colony, that you have ranked it foremost among your *privileges*, "to do your duty," we will take care *that no subject of ours gets any privilege we will deny to you.*" Government would thus have shown a respect at once for its Catholic *subjects* and for its Protestant *principles*; they would have shown their knowledge of enlightened human nature, which spurns the term *toleration* as it would the term *persecution*.

Toleration forsooth!!! Are we then to be *tolerated* in our own house? The term is only suitable for Pagans in a Christian, or Christians in a Pagan, land. But why all this difficulty between a Government less anxious to be served than its subjects are to lose their last drop of blood in its service?—I answer fearlessly, *certain principles will not suit certain individuals composing a certain party*, and *that party* has had an undue influence on their country's destiny, not by its numbers, not by its talents, not by its untainted virtue, not by its loyalty—and by what then? Let themselves answer; no other

person or party can, without being accused afresh of want of charity, of party purposes. It is easy to be loyal to the British Government, but *it is not* easy to be loyal to a party. Your tie to any party must be *party interest*. It has been well remarked, "a man must either *give or sell himself*." And herein is the advantage in our Government over that of the United States—The *existence* of our government does not *depend upon* party; we have as the security of our liberties a something called the throne, *which is above party influence* or interest, and has never been endangered but when it has forgotten its high character and design.

But before detailing the system I propose, it may be to the point to give a sketch of those that disagree with me on the question of the Clergy Reserves; and Firstly, There are those who hold to what they call *the original intention of the grant*, unwilling that people should be brought to know that their authority at best is but A VERY EQUIVOCAL ACT OF THE IMPERIAL PARLIAMENT, subject to repeal, and whose framers *anticipated its being altered*. This party are quite regardless of consequences on three accounts, the only one of which we can respect is the first: viz., first, on account of what they believe to be *principle*; second, on account of the possibility of *one bad exclusive principle* not upsetting the Province; third, on account of the precedent they have in the moderation of our republican neighbours, that even when the British rule was upset among them the Church did not share in the general overthrow except in name, though she did much to outrage the people's prejudices and bring about the crisis. This party is composed of, I should say about one-third the Episcopalians in the Province, with, as allies (chiefly from the Church of Scotland) a more *ancient* fraternity even than themselves, for their principles boast an origin prior to that great flood of public opinion, the Reformation, a thing not at all according to *their then* views of propriety, I allude to that class of conservatives who swear for the time being by all *that ever was, is, or ever will be*. This party will never willingly give up their position that it is the interest of the Throne to create a privileged class or classes in this Province, and they have influence here and at home so disproportioned to their numbers that this and a *recent expression* of the Governor has at present in an unusual degree excited the people's fears. They (the vast majority of the people) fear too that the present Executive of the Province will outrage the religious prejudices of *the many* rather than of *the few*—will shrink from outraging the prejudices of the high church party. I personally am inclined to cling to a better hope of them, but cannot be more wrong than sincere in supposing them to use some such passive language as the following: "We may *agree* to your measures which, however just and sound in principle are, you yourselves must own, *very strong*, but we will

bring an old house about our ears, we will bring down on our devoted heads the opposition of the church party, if they find us *taking the lead* in promoting PRINCIPLES SO LIBERAL; besides you know it is more the fashion in these days *for the people to take than for the government to give.*"

The other party who disagree with my views on the subject of the Clergy Reserves, are those whose belief in the possibility of any thing being attained by moderate or just claims has long since yielded under the all-engrossing, and what many of them honestly believe to have been the *blasting*, influence of a GOVERNMENT AND HIGH CHURCH PARTY.

One of the great practical evils that party has inflicted on this country, is their UNDENIABLY ORIGINATING THE PARTY I NOW SPEAK OF, and being always a plausible and often too good a cause for its EXCESSES. This class or party, therefore, in the absence of any substantial pledge of government's sincerity in a course of constitutional and needful reform, doggedly stand up for having *no church at all* because *one* has been attempted *to be forced* on the Province, which could not *proselyte* the Province though it had a clergyman in every house, and though all these were really zealous. Let the reader decide whether this arises from the unsuitableness of the forms, the way they are thrust down the people's throats, or the remarkable obtuseness of the people themselves. *No influence* was formerly allowed to the opinions of this party and apt disciples of the other party; they are now prepared to deprive the high church party of *all influence* because it grasped *at all*. Whatever respect we may have for a party, we should surely have some respect for our country and ourselves; and do we show our respect for either by admitting as a principle the justice of any class of our fellow subjects being deprived of the just influence due to their numbers and their respectability, though we may guard *ourselves against being injured by their prejudices*? The party of which I speak are so unsparing in their injustice, that they look as if *they too* have *party* purposes to serve, for after *making use* of the class of persons whose opinions my plan represents to prevent the Clergy Reserves being reverted to the Crown and to get them made *as they should be*, subject to application by the Provincial Legislature, they propose to frighten them by noisy and *popular* demonstrations out of their own opinion, and to deny *them* the weight to which their opinion is fairly entitled *who think* that an arrangement of the Clergy Reserve question WHICH WOULD MEET THE VIEWS OF ALL PARTIES could be come to but for the fact that many people suppose it a subject on which they *ought* not to think or which they *cannot* understand, which by *no possibility* can be satisfactorily arranged, and should therefore be *Burked* and the lands alienated from ecclesiastical to macadamizing

purposes, or by common education, to improve their children's minds of which the roughness of their roads is but too fit an emblem.

In opposition to the former of these parties, I argue that such has become the state of public opinion on the subject of the Clergy Reserve question, that it is the duty, the interest of every religious sect, every political party and every individual, to sink all personal and party interests and prejudices, and forgetting the peculiarities of the question which have irritated their particular prejudices or selfishness to join without distinction of creed or party, in insisting that the question be considered apart from the awkward position into which the constitutional act has put it, in insisting that the lands *be not reverted to the Crown*, but that to the *provincial* Legislature be committed the disposal of them as they see fit, in insisting that the country be *no longer* kept in a feverish distracted state, to the sacrifice of every body's interest and happiness, *not excepting their own*, in deference to the religious prejudices of one party in the Province even if it were a larger and stronger one than it is. Thus far in my argument I will be accompanied by the other or second party I have described, and *by nearly the whole Province*, where I differ from that other party is, as I have said, as to their application after the Provincial Legislature has hold of the Clergy Reserves.

SYSTEM.

Every freeholder and leaseholder should have a certain interest in the public lands, called Clergy Reserves, (as represented by and in proportion to the sums they pay to the school assessment,) and as the free subject of a free government, should be allowed to give *his* share of the proceeds, and the yearly rents of these lands to the church *he* thinks right. Why should the government object to this? *that a party* should object to it, *is not to be wondered at*. No sect which professes the Christian religion, should be objected to on account of its particular doctrines, but no inducement must be held out to the originating of new sects, characterized by mere *split straws of opinion* or pretended differences, and a check must be had against doctrines dangerous to the *British government*, and the *interests of the majority of the people*. The ADHERENCE OF A CERTAIN NUMBER OF THE PEOPLE THEMSELVES TO CERTAIN DOCTRINES IS THE SECURITY FOR THEIR SAFETY, WHICH CAN ALONE BE REQUIRED BY THE LAW, for were this not, as I believe it is, the *very best* criterion, the people are always jealous of the executive government interfering directly in any thing which is *a pure matter of opinion*, besides it would be IMPOSSIBLE FOR GOVERNMENT TO ESTABLISH ANY STANDARD OF RELIGIOUS BELIEF, nor could such a thing be attempted in these free Colonies.

The Legislature should adopt the School Assessment Roll, *which*

points out the field for immediate usefulness really open to each sect, as the most impartial manner of indicating the extent to which each church should be supported, out of a fund for religion, to be raised from the proceeds of the Clergy Reserves.

A Commissioner (or as I called him in my former plan, the *central agent for the system*,) would be the only officer called for by the system. He would be appointed by the House of Assembly, subject to the Governor's approval, AND WOULD BE AUTHORISED BY THE ACT TO DRAW EACH YEAR FROM THE "CHURCH FUND" A SUM EQUAL TO WHAT THE ADHERENTS OF PARTICULAR CHURCHES HAVE PAID THE PREVIOUS YEAR AS SCHOOL ASSESSMENT, OR TO A SUM PROPORTIONATE TO THE PROCEEDS ACTUALLY REALIZED FROM SALES OR LEASES OF THE Clergy Reserves; such sums to be paid over to the *executives* of the different churches, to be by them applied according to their own rules, to the salaries of ministers, or the building of churches.

To entitle a church to be supported, Government on my plan would require no more of it than that its doctrines (*to use a mercantile idea*) be endorsed by a certain number of the people, (the number to be fixed by the statute,) and that the clergymen of it be formed into an ecclesiastical order, or at least have a common name, and an executive organ or committee, to transact all its business, so as to prevent individuals being at all looked to in the system.

By any other plan that I can imagine, government would with patronage undertake the responsibility of judging of matters which SHOULD BE LEFT TO THE CONSCIENCES OF THE SUBJECT, AND EACH OF THEM INDIVIDUALLY, and incur the odium of undertaking that in which it must inevitably fail, of giving satisfaction.

I hope it is the plan of few, very few, (for they must be very ignorant of the state of the country,) still to try to bolster the Church of England as an established exclusive Church; were this to be attempted even IN THE NAME OF THE CROWN, would the Upper Canadians not persevere *for ever* in every constitutional means to get this *stigma* upon their liberties removed? If the Church of England is wished to be *established in name only*, why to effect so insignificant an object, as far as the true interests of that venerable establishment is concerned, (however important it may appear to the vanity of a few of its members,) will you wound the prejudices of the great mass of the people, and thwart *their* long held and often expressed wishes? At all events the descendants in this Province of those who endured the bloody *persecution* in Scotland, when the government *attempted*, but *without success*, happily for its own sake, and for the freedom of the world, to force on the land of their fathers, a church, however good in itself, alien and southern to *their* habits and *their* hearts, could never forget, even if they could forgive this second undeserved

slight on their country, this injustice to themselves, even if all others could in time be proselyted and *subdued*. *They*, depend on it, will pursue their own course and have the honesty and hardihood fearlessly to uphold their own deliberated opinions, despite of the insinuations and taunts which *have been* and would be *whispered* against them in Upper Canada, since no one dare *openly* accuse them, as a body, of disloyalty; [Mr. Hagerman's speech had not then been made;] "we *used*, they would say, to consider you *our* best, but you now appear to be *our* most troublesome settlers; if you don't like the country, leave it, and go to the United States, you will there find more kindred spirits." Are *they* then to be forced into the ranks of Republicanism? instead of being at least sympathised with, in their reasonable discontent at such usage from a government that owes its colonies and its high standing all over the world, to *NONE* so *MUCH* as its Scotch subjects, are they to have, as they inevitably would have, if a certain party get their way, insult heaped on injury? We *may* suppose that injury and insult, would lead to no act of violence from those who have yet to learn what unrevenged national insult or injury means. But *who* can suppose their heart burstings of indignation, telling the tale of freedom, not yet driven from its shelter in their breasts, before, with the harps of their own Zion, they would hang up *neglected* on the willows *their* national character, and feelings? What principles of religion and feelings of loyalty, but those which by an exclusive and *unjust* system are wished to be trampled on and eradicated, could prevent *their* indignation overflowing on those whom they would with reason view as the instruments of their *degradation*, some of them, alas! their own countrymen too? But some well-wishers to their country, who see *the impossibility of an exclusive system*, wish the Legislature to fix on *CERTAIN* churches to which to give support, forgetting that *we must* have a system to suit the changing circumstances of a new country. Every merchant in Upper Canada can explain this *necessity*; my readers however, as looking to the length of this letter from a mercantile man, may, like a fagged juryman, *believe* my assertion to *save the punishment inflicted by our present unanimous jury system on the scrupulous*. Would churches, fixed on by the Legislature 20 years ago, suit the present day, even if the choice had *then* been judicious? and would churches fixed on *now* suit 20 years hence? I think some such plan as I have proposed is what the country wants; I think the people feel their inability in money matters *too keenly* to decline *assistance* from a public fund *for religion*, if their Clergymen by these means were not made *independent* of them, and if the support were deprived of all government influence; but, aside from all party purposes, there has been a lot of *honest* clamourers against every system that *ever* was proposed. Perhaps the most *long*.

would if not most prominent objectors to my plan will be a class of enthusiasts, who, holding out for what they call the original apostolic mode of providing for clergymen, leave the entire support of an educated clergy on others, who, less hard-hearted, and, to my mind, more scriptural than themselves, *practise* as well as believe that "they which preach the Gospel should *live* of the Gospel." However much I may respect religious scruples, I cannot help remarking of such people, that, *if they could*, they would bring back the world's infancy unaccompanied by its innocence. Let me however tell them, that I am at one with them as to the destructive tendency on the interests of undefiled religion, of any earthly power having patronage or influence with the people's spiritual pastors; but I cannot be imposed on by the no *less* destructive doctrines of those who would leave the whole support of religion (UNLESS THIS IS ADVOCATED AS THE LEAST OF TWO EVILS—for I would rather see the lands applied to Educational purposes than given to *one* or *certain* Churches,) on the people, with whom it would be well were their *wills* no less questionable than their *means* to support an educated clergy; and the latter appear to me to be questionable enough.

Holding these views, is it wonderful that I should be anxious to see some such plan adopted as I propose, *by which, while the people are looked up to, and are each year appealed to, as the source of ecclesiastical power and patronage, means would be provided for the people to use for religious purposes as they see fit, without Government prescribing any other restriction than that in a Christian country, nothing but some one form of professed Christianity be provided for.* Calling such a support for all denominations of clergymen, a government support, is *worse than absurd*, unless it is attempted to be shown what the executive government has or takes ado with the system. Such a support would have no *exclusive* features in its *principle*, and no more than safety dictates in its *operation*, and would have no more a "*church and state*" character than that it *originated* in the munificence of the British government. And will we be showing our attachment to it, or our freedom from *narrow* prejudices by declining *its* interference in so delicate a way, and on so broad and liberal a principle, in a matter which, whatever are our other differences of opinion, we surely all acknowledge to be of the greatest *personal* importance to us, *viz. religion?* Churches which hold it to be scriptural and right to take the public support put by the British Government within the reach of *all*, but not forced on any, would avail themselves of it; and if any Churches, which I can scarcely anticipate, believe that support from such a source would deprive their ministers of their usefulness, they need not avail themselves of it,—nor, as far as rivalry is concerned, would the latter have

much to complain of in the former taking what they *voluntarily* decline, honestly believing it to be no advantage to them. Besides, they would have the pleasing reflection, that they have not stood in the way of others availing themselves of the support, who as *honestly* hold other opinions, that they have exercised charity enough to allow others the privilege of an independent opinion as well as themselves. My idea, however, is that there would be but *few objectors* to receiving the provision, seeing that the executives of the different churches would be allowed to apply their proportion to the *building of churches* as well as the salaries of ministers. I wish to force my opinion on no one, and all I aim at is to induce others to express *their* opinions as freely as I have done *mine*, for then danger to the state would disappear,—it would have no lurking-place. But much of our danger arises from many people not seeing that *the state is in danger from the present position of parties in the Province*. If they saw this, surely their minds would be otherwise occupied than filled with the swellings of wounded ambition or self-aggrandisement!

I, however, fondly anticipate a time when, purity and energy introduced into every department of the administration, the natural resources of this beautiful Province and the mighty mental energies it contains will be so developed, and the affairs of the country become so healthy, that *a few designing* men will do but little to disturb it, whether they are of those who try to usurp *all* the power and patronage of the Colony to themselves or their immediate blood-relations, their acquaintances or the friends of their friends, or of those who abuse the minds of the populace by the absurdity that the *lower orders alone* are fitted to direct the machinery of government.

I conclude by assuring you that it is with pleasing as well as anxious anticipations that your constituents look forward to your parliamentary debut. May I be permitted to add that the course you take on the question of religious liberty will, in all likelihood, give its character to your entire political career, than which no man's ever opened with a more PROMISING dawn; and, with every respect for your great popular talents, and for *what I believe to be* your political principles,

I am,

SIR,

Your obedient humble Servant,

ISAAC BUCHANAN

FIRST REMARKS
MADE BY ISAAC BUCHANAN,
ON THE
CLERGY RESERVES & SCHOOL LANDS
IN UPPER CANADA.

Toronto, U. C., 20th August, 1836.

THE writer of this very imperfect outline has, for his object, to bring forward a view of those MOST IMPORTANT OF ALL IMPORTANT SUBJECTS, which he believes not to have been hitherto before the public, and thus to afford ground-work for abler pens than his in the final arrangement of them, in a way satisfactory to the people of Upper Canada, and consistent with British principles, from which it is known that they have seen nothing yet in the experience of themselves or their neighbours to induce them to swerve.

Before coming to the detail of his plan for settling the disputes arising out of the present state of the Church and School Lands, he would ask the following questions:—Does *Christianity* and *one particular church* mean *the same thing*? Do the majority of the people consider it consistent with the existence of this country as a British Colony (mingled as are its inhabitants) that a dominant or exclusive Church or Churches be tolerated? Are the Upper Canadians now prepared to use all constitutional means to save their country; and have not more than one-half the Episcopalians sufficient knowledge of the state of the country and sufficient sense of justice to make them sympathise with their fellow-subjects and join in their efforts? Do the Upper Canadians believe that it is the unwearied study of the Home Government to do them justice, and *will they not do justice to themselves*? Do the majority of our Colonists really insist on all useless distinctions, religious as well as political, being done away; and will the doctrine be any longer held that free-born Britons should be ruled by means of their prejudices rather than their reason—and will the *debasing system* be any longer continued of attempting to convince the people of Upper Canada otherwise than through the medium of their own senses, or of scouting any individual who, holding a decided opinion, has honesty enough

to express it? Has not the majority in this Province long enough sacrificed at the shrine of the religious prejudices of the minority? Does any one believe that, as a body, the adherents of any one religious sect are more loyal than those of any other; and does he see, in the inalienable loyalty of the disregarded sects, no proof of their estimate of the blessings enjoyed by them under the strongest, *the most generous*, and the most impartial, because the most *practically free* government on earth—a government which is the guarantee to the world of continued order and progressive liberty? Are the King's loyal subjects in Upper Canada on any other *great principles* disunited but on the subject of the Church and School questions? Will individuals any longer be taunted with selfish or interested motives for holding the opinion, that, since this Country cannot enjoy any of the advantages of a connexion between Church and State which may be held to exist in England, it should not be borne down by having the disadvantages of that system imposed on it? Does this Province want a system of *proselyting*, or does it demand equal religious advantages for all its Colonists, and freedom to remain attached to the *religion of their fathers*, unmolested by their ministers and themselves being appealed to by *golden arguments*, *in the, to them, exposed and helpless circumstances of a new country*, to desert the faith they love, and to join with their *voices* in forms of worship with which (however beautiful in themselves) their *hearts* can have no sympathy? Is it good policy in Government to tolerate a state of things in which all but the adherents of one religious sect (however pure that church may be) are reminded by every thing around them of their being in a *land of strangers*? But does experience of the past teach us that we should trust to any quarter except to our own individual and joint exertions to throw off this yoke of superstition which *checks the developement of the resources* of this fine Province, and *cripples the energies* of a population second to none in the world, by rendering it impossible for us to become a united people—a people united by a community of feelings as well as interests?

Is it to the hour of darkness induced by our own folly and want of true patriotism, to the hour of the country's weakness, that we must appeal for an answer to these questions, or shall we boldly secure against such an hour ever again occurring by answering them *now*, and thus removing every *element of dissolution* which rankles in the veins of this infant colony, and prevents its *natural growth*?

The detail of the plan is as follows:—

The Clergy and School Lands should be relieved of all the trusts now holding them, and should be disposed of by means of a permanent act of Parliament, containing clear and well-understood conditions, as to their application—and any right which the Catholics

have to tythes from their own people (if it can be done without infringing the treaty) should be abolished, and they enabled to avail themselves of provisions ecclesiastical and educational, the same as their brethren of other persuasions.

The Clergy and School Lands should be viewed chiefly as a provision for the present infant state of the Province—Religion and education, if allowed to sleep *now*, would, in the opinion of many, never again be awakened in this country as a British Province.—It is a great argument for employing teachers of all or any kind, *most agreeable to the people*—if it is allowed that the people will not hereafter *be* more competent judges.

These reserved lands should therefore be converted into cash, and made to form two distinct funds—one for religion, the other for education.

For argument's sake, suppose the Government declining to allow of the endowments for Religion and Education being alienated to any other purposes, and saying to the people as follows :—

“Finding that on great and trying occasions in the Province, Christians of all persuasions have forgotten all their distinctions and differences *for a time*, in the support of British supremacy, and unshackled by their religious prejudices, have showed their loyalty to, and their sense of justice in the British Government, the Governor considers it due to the King's subjects to promulgate *not only that by him Christianity and one particular Church are not understood to mean the same thing*, but that hereafter every considerable Christian sect will be equally encouraged, and that if the Provincial Parliament will only fix on an equitable system, for *securing* equal rights to all, the Government will agree to it.”

To effect a settlement of these questions, suppose the Governor to make some such suggestions as the following :—

“Government declines committing the apparent inconsistency of directly supporting one set of priests to preach down another, so that the act of giving support to different churches must be purely that of the people, the Executive *Government having nothing to do with the system*, nor its successful or unsuccessful operation, as declining all influence in the distribution or application of the funds for religion or education, thus leaving no field *for partiality on the part of Government*—and therefore no ground for suspicion of it.”

The management of the system (say for Churches and Common Schools) should be thrown altogether on the executives of the different Churches (large sects) *pointed out by the people each year as those to which they belong, and in which they have confidence*—many grounds of quarrel would in this way be got quit of—difficulties would at all events be confined to the bosoms of the particular Churches—danger to the state, from one body of Christians coming into collision with

another, would be done away—and supposing that the doctrines of any one body were pernicious, you counteract its influence in the best way ; and applying *in the encouragement to all to do good*, a gentle remedy, you are much more likely in the end to purge out its venom, than when, in addition to the task of exposing the error of its system and showing how it had grafted itself on the simple institution of christianity—and how the passions and understandings of men might get disentangled from it, you had also to contend with the formidable circumstances of its being a *persecuted or pampered Church*. Our Government, in quitting its hold of the *Clergy Reserves*, and *binding itself to let all large bodies of Christians share in the proceeds of them*, would be culpable in not *insisting on the people being also bound* by a provincial act, sanctioned and made permanent by the Imperial Legislature, *to give a certain support to some one body of Christians*, it being however left to each person in his individual capacity, and every year on paying the tax, to say to the support of which denomination his contribution is to be applied. **THE PRINCIPLE LAID DOWN IS COMPULSORY PAYMENT AND VOLUNTARY APPLICATION.** The Church fund will provide for half the salaries of Ministers ; but to determine this half, *the people's half has first to be got at!!* This assessment, or security against the unworthy being provided for, is demanded for the following reasons:—

“*First*—Because Government decline allowing a provision for any Clergyman which will make him *independent of his people* altogether, while it, (the Government) considers that the *proper independence* of an educated Clergy, and the *inability* of the people themselves, both point out the necessity of *some support*.

“*Second*—Government considers that the good which any body of christians are not only willing but *able* to do, is the best proof of the extent to which they ought to be supported.

“*Third*—Government considers that an assessment, laid on by a permanent act of Parliament ; an act of Parliament subject only to be altered in the same way as the Constitutional act, and no person being allowed to pay more than the regulation, is the most correct way to find out the extent of the field for *immediate usefulness*, which is really open to each sect.

“*Fourth*—Government wishes to secure to every denomination the undivided support of its own adherents, and in cases where these are large enough to be supported, to give them a part of the allowance, exactly in proportion to their number ; and Government, moreover, views this as a legitimate opportunity to secure protection for that most deserving and zealous part of the community, on whom has hitherto fallen, and would hereafter fall the burden of the support of Religion on the voluntary system, by binding *all to give a small*

support (which does not interfere with their giving more to their individual minister on the voluntary plan) to *make the sustaining of religion light to all*. The public and private effects of religion on the circumstances of individuals, and on the prosperity of a country are enjoyed by all, whether they see it or not, and *all therefore should be compelled to pay for it*. If any individuals do not avail themselves of the more particular blessings of Religion, it cannot any longer be laid at the door of the Government, as *without being found supporting any particular Church, or by particular countenance sanctioning its doctrines* it puts it in the power of every one to provide himself individually with religious instruction.

Government recommends the *encouragement, without distinction*, of every sect professing the christian religion, but considers it would be fraught with *little good effect*, and might induce serious *public evils*, the giving a direct support out of the Church fund to any body whose doctrines are not sanctioned by the adherence to these, and of course to that body of a considerable portion of the inhabitants, while therefore Government would agree that every sect, however small, be allowed to *pay and encourage by their own particular assessments their own Churches*—it would not consent to support, out of the Church fund, any but the *larger Churches*. Government would leave it to the two branches of the Provincial Legislature to say the amount of subscriptions, according to the act of assessment, which should entitle a sect to be called a "*large Church*," or one to which part of the proceeds of the Church Reserves should be applied, but would suggest the criterion to be a sum, certainly not less than £3,000 annually. *Can impartiality do more than to agree that no sect should be objected to on account of its particular doctrines? Can common prudence require less than that these doctrines should be for the general safety sanctioned, by a respectable number of the people themselves?*

Out of the *Church fund* a support would be afforded to all the large Churches in the shape of a *sum of money yearly*, equal or proportionate, to the number of their adherents, as ascertained by means of a general assessment; the amount paid by the adherents of each Church, being made to represent the extent of its co-operation in promoting the ends of religion, which the Government has in view.

All that Government would require of a Church is, that it professes the Christian Religion, and that it be composed of, at least, three ministers, formed into an ecclesiastical order, or at least, having a name and an executive organ, *it being left to the people themselves to discuss their split straws of doctrine*.

Government declines the opening to favoritism; and the increased detail to which the recognition of individual ministers might lead; and when assessments are collected, from persons of no religious pro-

fession, or in favour of churches or sects, which have not complied with the Law, and are represented by no church court, or executive, such assessments will be divided among the other Churches, according to the proportion of the sums they have collected the same year.

Government proposes, for the approbation of the Legislature, to levy a contribution, or assessment, for the above purposes, as follows :—

4s. from all Leaseholders not over £25 Rent,	
7s. 6d.	25 to 60,
12s. 6d.	60 & up'rds ;

and the following from Freeholders who would not come under a greater rate if assessed as Leaseholders :—

5s. from all Freeholders not under 50 acres,	
7s. 6d. ,	50 to 100.

Freeholders owning more than 100 acres would pay 7s. 6d., and a farthing per acre for every *additional acre*;—the payer of the tax stating, at the time he pays it, to the support of which denomination his money goes.

As increasing the influence of their particular Churches, the wealthier classes of society would of course have no objection to *their* assessments being fixed higher in proportion to those of the poorer classes than has been proposed above ; but Government, and the people generally, would both prefer that by the system no *greater preponderance be given to property*, and that those who can afford to give more should communicate directly with their own Churches on the *voluntary system*.

The inhabitant would be handed an account of all the different taxes payable by him, (the church assessment being merely *one item*.) He would require to pay the whole or none, so that he never would be distrained for *church assessments* alone.

This tax would not come into the hands of the Government ; and, as merely binding the people to *what they themselves say they are anxious to do*, it might be called by a gentler name. It should be collected by some of the present Town or District Officers, (probably the Treasurer,) under sufficient securities to the public, so that *the expense of collection would be trifling*. The money received from assessments would fall to be by him paid into the hands of a central agent at Toronto, (*this is the only officer accumulated by the system*) appointed by the House of Assembly, and subject to the Governor's approval, and under heavy securities, to be by him, under the regulation of the Statute, paid over to the executives of the different Churches, viz. :—

To the Bishop of the Church of England,
 To the Synod of the Church of Scotland,
 To the Conference of the Methodists,
 To the Roman Catholic Bishop,
 To the Baptists and any other considerable bodies,
 To Small Sects clubbed as "*Nothingarians*" or "*Some-thingarians*," &c. &c. &c.,

to be by them applied, according to their own rules, for the salaries of Ministers and the building of Churches. Any restriction with the people's own contributions might perhaps be improper; but some very general restrictions ought to be adopted with the payment of the *church fund*.

The central agent for the system should be authorised by the act to draw each year from the *fund for Religion* on behalf of the executives for the different *large sects provided for*, a sum of money *equal to the amount* which has passed through his hands *as assessments paid by the adherents of said churches*, or equal to a fair proportion of the proceeds of the land *actually realized*, in case any one year the state of the fund will not permit of the full regulation. In such cases churches would have no future claim for any balance.—This provision from the church fund would also be paid to the executives of the different churches, to be applied to the salaries of members, and the building of churches, under some very general restrictions, such as that no one clergyman should be allowed more than £100, Halifax Currency, per annum; (this might vary in different years, but of the variation of the part of his provision levied by assessments the chance would be very trifling) and that only the balance remaining after paying ministers' salaries, be applied to the building of churches. If thought advisable, to promote the spread of ministers over the country, the extent of their support in any one year from the *church fund and assessments together*, might be restricted to £200, any additional salary being furnished them on the voluntary system by their own congregations, or out of the seat rents, which, at all events in towns, it would be well to avail of to assist these other means of religious support, as many who are able and willing to lend their assistance are neither leaseholders nor freeholders. It might be well that the collector's receipt for payment of the general church assessment be received as part payment of seat rents from freeholders and leaseholders assessed. If it is objected that the *church fund* would prove insufficient, I answer—*That were the system a good one, the British Government would be but too happy to provide it with means.*

If any church were discovered paying up the assessments of defaulters, merely to swell the amount to be received from Government, and afterwards taking the said amount or any other sums out of the funds understood to be appropriated by them for religion, such

church should undergo very heavy penalties, or forfeit all future claim to support, out of either the church or school funds, and in the latter case would be viewed as one of the insignificant sects thereafter. But this might be objected to as intrusting the privileges of the future as well as the present generation to individual temporary managers.

As to the *School Lands* the Provincial Legislature might consider whether or not it would be well to adopt the following mode of application—viz., to adopt the church assessment roll as pointing out the strength of the different parties in the Province, and to authorise, by an act of Parliament, the central agent for Religion to draw each year from the *Educational Fund* a sum equal to the amount, or half the amount which he draws for particular churches for religion, to be by him paid over to the executives of said churches for the maintenance of *Common Schools* under their superintendence, such amount to be received might be curtailed for want of funds in the same way, as in the case of Religion. Some very general restrictions might be added, such as that no schoolmaster should be allowed over a certain salary, and that no part of the money should be applied to colleges. Government's views with regard to *Schoolmasters* might be explained to be the same as it entertains on the subject of Clergymen, that a Schoolmaster should be made *so far independent of the people*, and liable to be turned out only by some constituted discriminating and *educated* authority, within the District, and not by the people generally, but that as an *inducement to exertion*, on his part, the balance he should collect from his scholars by means of a small fee restricted by the statute.

The act regulating religion, as has been said, would be a permanent one, but in the case of education the Provincial Legislature ought to be allowed, at each session, to appropriate for colleges and other educational purposes, a sum of money out of the *School Fund* not exceeding the sum drawn during the previous year, for *those common schools superintended by the churches*. The parliament being only allowed to do this in case a part of the realised fund remained on hand after supporting the Common Schools, equal to three times the sum used by them the previous year, *so that common education may have no interruption*.

In bringing to a close the foregoing humble attempt, the writer begs to repeat, that he undertook it from no persuasion of his being able to propose a perfect system. Could he mean by such a supposition to insult the Legislators of Upper Canada, or pretend to convict them of having winked at the state of these momentous questions instead of having been hitherto baffled with their adjustment? No; He was attracted to these subjects by observing the feeling wide spread in the Province, that on their being *immediately set at*

rest in one way or other depends the country's peace and prosperity. The expression of that feeling is yet only muttered like the coming storm, but unless decisive steps are taken, it will before long burst forth in popular thunder. If the explanation have only the effect of making others see *the uselessness*, even if they cannot believe in the immediate danger of *blinking the subject of the Clergy Reserves*, he will feel that this little trouble has been amply recompensed. He is neither wedded to the system he now proposes nor to any other, and will only stick to his present views till a more equitable and *practicable system* is pointed out. May he not then expect an unprejudiced consideration of his plan. It is no party production. The writer's independence is, perhaps, as untrammelled by party influence, feelings, or interests, as that of any man in either Province. He cannot be held to write from irritated feelings arising from his belonging to a *neglected or insulted sect*; for he is a lay adherent of the Church of Scotland, a church which may have good reasons for *feeling* against individuals in this country, who have tried to deprive her of her *just rights under the constitutional act*; but cannot be supposed to have any undue longing for a state of *equal Religious privileges*, which it is the writer's object to bring about *until* she tamely sits down content, that her *lawful rights* be trampled on and in despair of redress from the British Government, to which even strangers do not call in vain for justice; but the supposition of all this, is not only unnatural but ridiculous, while the law of the land remains as it is, and while Scotland's sons retain one half of that freedom of opinion for which they *contended* more than a hundred years ago.

The writer has avoided personalities where he could do so, without injuring his position.—If in one of these last sentences the allusion to individuals is calculated to give offence, he would express a sorrow in which he will be joined by the whole province that *some* individuals are mingled up with *all* our public questions.—He may moreover explain, that however hard the feeling entertained in certain quarters is, there has been nothing, in his opinion, *attempted* by members of the church of England which by an exertion of charity may not be laid to the door of frail human nature; or which he cannot easily conceive might have been attempted by the individual ministers of his own church in *similar circumstances*.

He would be the last to cast any indignity or injurious reflections on the piety, the private charities, or the ministerial usefulness, of the Clergymen of the Church of England in this Province, and were any individual attempting such a thing, he hopes, and indeed believes, that they stand too high in the public opinion, and in the affections of their particular flocks, to be affected by him; but may he not hope too, that the day has gone by when *private or religious virtues could atone for political errors*.

It may be due to a clergyman to allow that he has done a great deal of *positive good* to his church, and that his charities and good offices have not been confined by so narrow a circle; but if we believe, that, *as far as the general community is concerned*, he has done much *positive harm* in another way, why should we not be as ready to express the latter as to allow the former?

The answer forms one of the strong reasons why *Clergymen* should not be public *political characters*; for, however wrong in principle, can we think hard of any individual, because, yielding to human sympathies, his mind finds a relief in dwelling rather on the *private virtues* of his fellow-Christian than on his *public errors*, and finding it a difficult thing to question the *motive*, he is loath openly to disapprove the *act*, or to suppose (*what his individual case is a proof of*,) that virtue's influence can be directly instrumental in obstructing public justice.

The writer makes these remarks in the sincere belief, that, if the system that now exists in Upper Canada were, from feebleness in our Government, (a thing not to be feared,) or infatuation on the part of our Legislative Council, continued for a few years, it could not *then*, as at present, be cured by a gentle remedy, and that the circumstance of this country having *every thing to lose by a change* would alone save it from Revolution.

No error perhaps has been fraught with such practical evil as the ungenerous feeling of the High Church party, generally, that all (*Episcopalians scarcely excluded*) who hold opinions opposed to the grasping views of some *misguided* individuals of the Church of England, and who have honesty enough to avow them, (*for they know that these are entertained nearly by the whole Province if they would speak out*) are enemies to that venerable establishment; and if an individual finds it his duty, and combines independence with hardihood enough, to persevere in exposing, since *unassisted* he cannot check the usurpations in a *Constitutional manner*—he is branded as an infidel, at open war with Religion itself.

Can any true friend to his country help regretting that such uncharitable, not to mention antiquated opinions, should be held by a portion of the community which has so great an influence on its destinies, and which is composed of those, who, as individuals, are so respectable and influential.

The writer, however, cannot let this opportunity pass without stating that he does not know his own or the public's feelings towards the Church of England, if they are otherwise than the *most friendly*.

Sure he is, that the other churches in this colony wish to meddle in nothing that does not directly affect *their* dearest interests, and that the individuals of them are as little prepared to interfere with or scrutinize matters with which the Church of England *has alone to do*.

But cannot the mass of the people of Upper Canada be pardoned for the opinion that they have sucked in with their mother's milk, that the crown of England sits too securely on the head of their beloved Sovereign to require a Church to support it ; or to be endangered as *in days when PREJUDICE reigned* by the influence of a Church *then, but not now*, more powerful than *his people*.

Cannot a people believe that their liberties are best secured by their upholding inviolate the prerogatives of the Crown, without at the same time holding, that religious forms and views very necessary to assist the dawn of true liberty and order, are equally required in these days of greater light as they were a hundred years ago, since which time almost every thing else has become obsolete *except British principles*, and which too in these later days have only been saved to us by the dislodgement of much of the *feeble ivy* that years had entwined even around so noble a form as the tree of British Liberty.

First gain the people's confidence, and tell them calmly that *Spiritual starvation* as having quite a contrary effect to making the mental appetite *keener*, has even a more melancholy tendency than *bodily want* ; that food in the one case is required to *sustain existence*, but that the spirit will retain all its natural energies unimpaired even in the *dangerous* state of ignorance, and *only wants* Education to *direct and develope* its eternal powers.

Then ask them, would it prove unkindness in Government, were it even to make *moral Education compulsory* ? And appeal to them if it has no reason on its side, when it holds that a Government would be working counter to our knowledge of nature, were it trusting altogether to the *voluntary or personal supply of its people's spiritual wants* !

In fine : Does any one seriously believe that, with common justice done them, the people of Upper Canada cannot be made as contented in their happy homes as the people are in the United States, even without the experience the latter have had of *a surfeit of Liberty*, Political and Religious.